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FILE NO. 102-93-4 ORDINANCE NO. 301-93

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 1

AMENDING ORDINANCE NO. 242-93 (ANNUAL SALARY ORDINANCE, 1993-94) REFLECTING THE ADDITION OF SEVEN NEW POSITIONS AND THE DELETION OF SEVEN POSITIONS IN THE DEPARTMENT OF PUBLIC HEALTH.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 242-93 (Annual Salary Ordinance, 1993-94) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Department: 83	Public Health Central Office	
		Division: 02	CPHS	
		Section: 01	Support Services	
		Program: 4129	Health Centers	
		Fund: 01001	General Fund	
		Index: 734301	CPHS Health Care Centers Exp	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Misc.	
5 added	5	AA57 S	Health Center Manager.....J,SC	$2252B2737
5 abolished	0	1372 S	Special Assistant XIII.....SC	2252B2737
		Department: 83	Public Health Central Office	
		Division: 02	CPHS	
		Section: 02	Public Health Services	
		Program: 4302	General Admin & Other Support Serv	
		Fund: 01001	General Fund	
		Index: 735563	CPHS Exp Budget	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Misc.	
1 added	1	AA57 S	Health Center Manager.....J,SC	$2252B2737
1 abolished	0	1372 S	Special Assistant XIII.....SC	2252B2737

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/ SUPERVISOR ALIOTO

BOARD OF SUPERVISORS

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Department: 83	Public Health Central Office	
		Division: 03	AIDS	
		Section: 00	Laboratory	
		Program: 4120	Public Health AIDS	
		Fund: 01001	General Fund	
		Index: 735571	AIDS Exp Budget	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Misc.	
1 added	1	AA57 S	Health Center Manager.....J,SC	$2252B2737
1 abolished	0	1372 S	Special Assistant XIII.....SC	2252B2737

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

Wendell Brown
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 1

Civil Service Commission

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
September 20, 1993	$	September 27, 1993
	$	
	$	
Ayes: Supervisors Conroy Hsieh Leal Maher Migden Shelley	$	Ayes: Supervisors Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	$	
Noes: Supervisors Bierman Hallinan Kennedy	$	Noes: Supervisors Bierman Kennedy
	$	
Absent: Supervisors Alioto Kaufman	$	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-93-4

SEP 28 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 97-93-14 ORDINANCE NO. 302-93

[Revolving Funds]

AMENDING CHAPTER 10, ARTICLE XV, OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.157 TO INCREASE THE AMOUNT HELD IN THE DEPARTMENT OF SOCIAL SERVICES REVOLVING FUND.

Note: Additions are <u>underlined</u>, deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10, Article XV, of the San Francisco Administrative Code is herby amended by amending Section 10.57 to read as follows:

SEC. 10.157. CASH REVOLVING FUNDS -- DEPARTMENT OF SOCIAL SERVICES; ((($20,000.)) <u>$40,000</u>.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Virginia David Elizondo
Deputy City Attorney

2101H

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 13, 1993	September 20, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kennedy Maher Migden Shelley
Absent: Supervisor Kaufman	Absent: Supervisors Alioto Kaufman Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-93-14

SEP 24 1993
Date Approved

Frank M. Jordan
Mayor

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As amended in committee
9/8/93

FILE NO. 101-93-7

ORDINANCE NO. 303-93

(Government Funding)

RO#93057
SA#05

kg
9/8/93

APPROPRIATING $448,096 FOR PERMANENT SALARIES, RELATED MANDATORY FRINGE BENEFITS AND TRAINING, PARKING CITATION DIVISION, PARKING AND TRAFFIC COMMISSION, FOR THE CREATION OF SEVENTEEN (17) POSITIONS, AND RESCINDING $41,780 IN PERMANENT SALARIES AND RELATED MANDATORY FRINGE BENEFITS FOR THE DELETION OF ONE (1) POSITION, MUNICIPAL COURT, FOR FISCAL YEAR 1993-94 ; placing $219,048 on reserve.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-94 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	GENERAL FUND		
99-00-00	GENERAL FUND UNALLOCATED		
GL 496 (000026)	UNAPPROPRIATED REVENUE RESERVED		
SUBSIDIARY 000006	GENERAL RESERVE	$406,316	
36-00-00	PARKING AND TRAFFIC COMMISSION		
01-0010(353888)	PERMANENT SALARIES		$381,923
01-0600(353888)	MANDATORY FRINGES		$56,173
01-1130(353888)	TRAINING		$10,000
11-00-00	MUNICIPAL COURT		
01-0010(317016)	PERMANENT SALARIES	$34,776	
01-0600(317016)	MANDATORY FRINGES	$7,004	
	TOTAL	$448,096	$448,096

BOARD OF SUPERVISORS

Section 2. Funds are hereby appropriated for the creation of Seventeen (17) positions, Parking and Traffic Commission, and the deletion of one (1) position, Municipal Court, by amendment to the Annual Salary Ordinance, Board of Supervisors File #_____ as follows:

CLASS	TITLE	RATE	CREATED	DELETED
1404L	CLERK	0943B1141	4	0
1406L	SENIOR CLERK	0989B1197	1	0
AA53R	MANAGER, PARKING CITATIONS	2094B2545	1	0
AA55L	FIELD SURVEY CLERK	0920B1114	4	0
AA56L	PARKING CITATION HEARING OFFICER	1421B1723	7	0
	11-00-00 MUNICIPAL COURT			
0270R	ASST. DIVISION CHIEF CLERK, MUNI. COURT	4343M4835		1
	TOTAL		17	1

kg
9/8/93

Section 3. That the Department of Parking and Traffic develop a system to monitor and evaluate the volume of initial reviews and hearings, time needed to perform the funtions of initial review, field investigation and hearings; issue monthly reports commending in February 1994 with program review that contains an analysis of long-term staffing needs.

kg
9/8/93

Section 4. Funds in the amount of $219,048 including $190,962 for salaries and $28,086 for fringe benefits, pending the February, 1994, review that contains an analysis of long-term staffing needs, to be released by the Budget Committee.

BOARD OF SUPERVISORS

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APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

CIVIL SERVICE COMMISSION

BY
GENERAL MANAGER, PERSONNEL

a:\gprbudget36ea05

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 13, 1993	September 20, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kennedy Leal Migden Shelley	Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kennedy Leal Migden Shelley
Noes: Supervisors Alioto Maher	Noes: Supervisor Maher
Absent: Supervisor Kaufman	Absent: Supervisors Alioto Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-7

SEP 24 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 102-93-5 ORDINANCE NO. 304-93

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 3

AMENDING ORDINANCE NO. 242-93 (ANNUAL SALARY ORDINANCE, 1993-94) REFLECTING THE ADDITION OF SEVENTEEN POSITIONS IN THE PARKING AND TRAFFIC COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 242-93 (Annual Salary Ordinance, 1993-94) are hereby amended so that the same shall read as follows:

(Amend-ment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Department: 36	Parking and Traffic	
		Division: 06	DPT-Parking Citation Division	
		Section: 00	Parking and Traffic Commission	
		Program: 0000	No Program Defined	
		Fund: 01001	General Fund	
		Index: 353888	Citation Processing Program	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Misc.	
4 added	4	1404 L	Clerk.....SC	943B1141
1 Added	1	1406 L	Senior Clerk.....SC	989B1197
1 added	1	AA53 R	Manager, Parking Citations.SC	2094B2545
4 added	4	AA55 L	Field Survey Clerk.....SC	920B1114
7 added	7	AA56 L	Parking Citation Hearing...SC Officer	1421B1723

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

Wendell Brown

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R Lakey

No. 3

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 13, 1993	September 20, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kennedy Leal Migden Shelley	Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kennedy Leal Migden Shelley
Noes: Supervisors Alioto Maher	Noes: Supervisor Maher
Absent: Supervisor Kaufman	Absent: Supervisors Alioto Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 102-93-5

SEP 24 1993
Date Approved

Frank M. Jordan
Mayor

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[Local Transactions and Use Tax]

LEVYING A ONE-HALF OF ONE PERCENT TRANSACTIONS AND USE TAX, SAID LEVY BEING CONDITIONED ON THE FAILURE OF SENATE CONSTITUTIONAL AMENDMENT NUMBER ONE IMPOSING A STATEWIDE ONE-HALF OF ONE PERCENT SALES AND USE TAX TO BE SUBMITTED TO THE STATE ELECTORATE AT THE STATE SPECIAL ELECTION TO BE HELD ON NOVEMBER 2, 1993.

Be it ordained by the People of the City and County of San Francisco:

Section 1.

Subject to approval by the qualified electors of the City and County of San Francisco, Part III of the San Francisco Municipal Code is hereby amended by adding a new Article 16 which shall contain the following sections:

SEC. 1601. TITLE. This ordinance shall be known as the "San Francisco County Transactions and Use Tax" which establishes and implements a transactions and use tax.

SEC. 1602. DEFINITIONS. For purposes of this ordinance the following words shall have the meanings ascribed to them by this section.

"District" shall mean the City and County of San Francisco.

"Operative date" shall mean January 1, 1994 in the event that Senate Constitutional Amendment Number One imposing a statewide one-half of one percent sales and use tax fails to be

approved by the state electorate at the state special election to be held on November 2, 1993. In the event that Senate Constitutional Amendment Number One is approved, this tax shall not become operative.

"Effective date" shall mean the date of adoption of this ordinance which shall take effect at the close of the polls on the day of election at which the proposition is adopted by the legally required percentage of qualified voters voting on the measure.

SEC. 1603. PURPOSE. This ordinance should be interpreted so as to achieve the purposes set forth herein:

(a) to impose a transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) and Part 1.7 (commencing with Section 7285) of Division 2 of the California Revenue and Taxation Code.

(b) to incorporate provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

(c) to impose a transactions and use tax and provide a measure therefor that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible

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deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Tax.

(d) to authorize administration of a transactions and use tax in a manner that will, to the highest degree possible be consistent with the provisions Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes and at the same time minimize the burden of recordkeeping upon persons subject to taxation under the provisions of this ordinance.

(e) to provide financial assistance for the general purposes of the District.

(f) to increase the California Constitution Article XIIIB expenditure limit for the District by an amount equal to the revenues derived from the transactions and use tax for the same fiscal year.

SEC. 1604. AUTHORITY. Upon the effective date of this ordinance, the District shall exercise all powers necessary to perform collection, administration, and allocation duties with respect to the transactions and use tax, in a manner consistent with Part 1.6 (commencing with Section 7251) and Part 1.7 (commencing with 7285) of Division 2 of the Revenue and Taxation Code.

SEC. 1605. CONTRACT WITH STATE. Prior to the operative date of this ordinance, the District shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax; provided that, if the District shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

SEC. 1606. TRANSACTIONS TAX AND RATE OF ONE-HALF OF ONE PERCENT. For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in this District at the rate of one-half of one percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this District on and after the operative date.

SEC. 1607. PLACE OF SALE. For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to

the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the state or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

SEC. 1608. USE TAX AND RATE OF ONE-HALF OF ONE PERCENT. An excise tax is hereby imposed on the storage, use or other consumption in this District of tangible personal property purchases from any retailer on and after the operative date for storage, use or other consumption in this District at the rate of one-half of one percent of the sales price of the property. The sales price shall include delivery when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

SEC. 1609. ADOPTION OF PROVISIONS OF STATE LAW. Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 of Division 2 of the Revenue and Taxation Code (commencing with Section 6001) are hereby adopted and made a part of this ordinance as though fully set forth herein.

SEC. 1610. LIMITATIONS ON ADOPTION OF PROVISIONS OF STATE LAW AND COLLECTION OF USE TAXES. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, wherever the State of California is named or referred to as the taxing agency, the name of the District shall be substituted therefor. The substitution, however, shall not be made when the word "State" is used as part of the title of the State Controller, the State Treasurer, the State Board of Control, the State Board of Equalization, the State Treasury, or the Constitution of the State of California, the substitution would require action to be taken by or against the District or any agency, officer or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this ordinance; the substitution shall not be made in those sections, including, but not necessarily limited to, sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remains subject to tax by the state under the said provisions of that code; the substitution shall not be made in sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code. The name of the

District shall be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 and in the definition of that phrase in Section 6203.

SEC. 1611. PERMIT NOT REQUIRED. If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

SEC. 1612. EXEMPTIONS, EXCLUSIONS AND CREDITS.

(a) There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

(b) There are exempted from the computation of the amount of transactions tax gross receipts when they are from:

(1) Sales of tangible personal property to operators of aircraft to be used or consumed principally outside of the District and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this state, the United States, or any foreign government.

(2) Sales of property to be used outside the District

which is shipped to a point outside the District, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the District shall be satisfied:

i) with respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with Section 9850) of the Vehicle Code by registration to an out-of-District address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his principal place of residence.

ii) with respect to commercial vehicles by registration to a place of business out-of-District, and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

(3) the sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4) a lease of tangible personal property which is a

continuing sale of such property for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5) for the purposes of subsections (4) and (5), the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract upon notice, whether or not such right is exercised.

(c) There is exempted from the use tax imposed by this ordinance the storage, use or other consumption in this District of tangible personal property:

1) the gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2) purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire of compensation under a certificate of public convenience and necessity issued pursuant to the laws of this state, the United States, or any foreign government. This exemption is in addition to the exemption provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3) if the purchaser is obligated to purchase the property for a fixed price pursuant to contract entered into

prior to the operative date of this ordinance.

4) or the possession of, or the exercise of any right or power over, tangible personal property under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5) for the purposes of subsections (3) and (4), storage, use or other consumption, or possession, or exercise of any right to power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time during which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6) Except as provided in subparagraph (7), a retailer engaged in business in the District shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the District or participates within the District in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the canvasser, solicitor, subsidiary, or person in the District under the authority of the retailer.

7) "A retailer engaged in business in the District" shall also include any retailer of any of the following: vehicles

subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with Section 9850) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the District.

(d) Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district or retailer imposing a transactions tax pursuant to part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property, the storage, use or other consumption of which is subject to the use tax.

SEC. 1613. EXPENDITURE LIMIT. The California Constitution Article XIIIB expenditure limit for the District for each fiscal year of the tax shall increase in an amount equal to the revenues derived from this transactions and use tax for the same year.

SEC. 1614. AMENDMENTS. All amendments to Part 1 of Division 2 of the Revenue and Taxation Code made subsequent to the effective date of this ordinance which relate to sales and use taxes and which are not inconsistent with Part 1.6 of Division 2 of the Revenue and Taxation Code and all amendments to

Part 1.6 of Division 2 of the Revenue and Taxation Code, and all amendments to part 1.6 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance; provided, however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

SEC. 1615. PENALTIES. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars ($500.00) or by imprisonment for a period of not more than six months, or by both such fine and imprisonment.

SEC. 1616. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

APPROVED AS TO FORM
LOUISE H. RENNE, City Attorney

By _____
ANGELA KARIKAS
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
September 13, 1993	$	September 20, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kennedy Leal Maher Migden Shelley	$	Ayes: Supervisors Bierman Hallinan Hsieh Kennedy Maher Migden Shelley
	$	
Absent: Supervisors Conroy Kaufman	$	Absent: Supervisors Alioto Conroy Kaufman Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
296-93-1

SEP 24 1993
Date Approved

Frank M. Jordan
Mayor

Amendment of the whole as amended
8/18/93

FILE NO. 127-93-19 ORDINANCE NO. 306-93

(Vehicle Renter Tax)

AMENDING PART III OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTIONS 1004.17 AND 1004.18 OF ARTICLE 12-B TO REPEAL THE BUSINESS CLASSIFICATION FOR PASSENGER VEHICLE RENTAL BUSINESSES AND TO REPEAL THE TAX RATE FOR THIS CLASSIFICATION AND BY ADDING ARTICLE 19 THERETO TO IMPOSE A VEHICLE RENTER TAX, OPERATIVE OCTOBER 1, 1993.

NOTE: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 12-B of Part III of the San Francisco Municipal Code (Business Tax Ordinance) is hereby amended by amending Sections 1004.17 and 1004.18 to read as follows:

SEC. 1004.17. RATES OF TAX AFTER JUNE 30, 1990 ((AND AFTER OCTOBER 1, 1993.))

(a) Notwithstanding any other provision of this ordinance, commencing July 1, 1990, the rates of gross receipts tax under Sections 1004.01, 1004.02, 1004.03, 1004.04, 1004.06, 1004.07, 1004.08, 1004.09, 1004.10, 1004.11, 1004.13, 1004.15 and 1004.16 ((, and commencing October 1, 1993 the rate of gross receipts tax under Section 1004.17,)) shall be as follows:

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/ / /

Sec. No.	Business	Tax on First $10,000 of Gross Receipts or Fractional Part Thereof	Tax on Each Additional $1000 of Gross Receipts or Fractional Part Thereof
1004.01	COMMISSION MERCHANT OR BROKER	$ 30.00	$ 3.00
1004.02	CONTRACTOR	$ 30.00	$ 3.00
1004.03	HOTEL, APARTMENT	$ 15.00	$ 1.50
1004.04	LAUNDRY, ETC.	$ 15.00	$ 1.50
1004.06	PERSONAL PROPERTY RENTAL	$ 30.00	$ 3.00
1004.07	OTHER BUSINESSES	$ 30.00	$ 3.00
1004.08	RETAIL SALES	$ 15.00	$ 1.50
1004.09	STORAGE, ETC.	$ 30.00	$ 3.00
1004.10	TELEPHONES, ETC.	$ 12.00	$ 1.23
1004.11	TRANSPORTING PERSONS	$ 30.00	$ 3.00
1004.13	WHOLESALE SALES	$ 12.00	$ 1.23
1004.15	ARCHITECTS, ENGINEERS	$ 30.00	$ 3.00
1004.16	NON-PROFIT GARAGE	$2,500.00	$250.00
((1004.17	PASSENGER VEHICLE RENTAL	$ 700.00	$ 70.00))

(b) Notwithstanding any other provision of this ordinance, for calendar year 1990 and for each calendar year thereafter, the tax under section 1004 (FIXED PLACE OF BUSINESS) shall be $24.00 per year.

(c) Notwithstanding any other provisions of this ordinance, for calendar year 1990 and for each calendar year thereafter, the tax under Section 1004.05 (LENDING MONEY) shall be $800 per year.

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(d) Notwithstanding any other provision of this ordinance, commencing July 1, 1990, the rates of tax under Section 1004.12 (TRUCKING-HAULING) shall be as follows:

For each a motor vehicle (other than a tractor, trailer, semitrailer or dolly) used to receive or discharge, pick up or deliver property within this City and County (1) if the unladen weight thereof is 4000 pounds or less, the tax shall be $0.07 for each day or fraction thereof of its operation as specified in Section 1004.12(b); (2) if the unladen weight thereof is over 4000 pounds, and not more than 8,000 pounds, the tax shall be $0.15 for each day or fraction thereof of its operation as specified in Section 1004.12(b); and (3) if the unladen weight thereof is over 8,000 pounds, the tax shall be 0.16 for each day or fraction thereof of its operation as specified in Section 1004.12(b).

For each tractor which is used to haul one or more trailers or semitrailers, the tax shall be $0.16 for each day or fraction thereof of its operation as specified in Section 1004.12(b).

((SEC. 1004.18 PASSENGER VEHICLE RENTAL.

(a) Notwithstanding any other provision of this ordinance, commencing October 1, 1993, for every person engaged in the business of renting passenger vehicles, the tax shall be $700 per year or fractional part thereof for the first $10,000 or less of gross receipts, plus $70 per year for each additional $1,000 of gross receipts or fractional part thereof in excess of $10,000 from

renting passenger vehicles.

(b) As used herein, the term "passenger vehicle" means a motor vehicle, other than a motor truck or truck tractor, designed for carrying not more than 10 persons including the driver, and used or maintained for the transportation of persons. The term 'passenger vehicle' shall include a housecar, as defined by the California Vehicle Code.

(c) As used herein, the term "passenger vehicle rental" shall mean furnishing any passenger vehicle for the transportation of persons or property under a lease or rental agreement with a duration of 60 days or fewer. The term "passenger vehicle rental" shall not include furnishing any passenger vehicle where the person furnishing such vehicle operates the motor vehicle furnished or is otherwise subject to taxation under Section 1004.11 of this Article.

(d) Gross receipts under the provisions of this Section shall include receipts from the rental or lease of a passenger vehicle (i) within the City and County for transportation to a place or places within the City and County (even though such transportation involves going outside the City and County); (ii) within the City and County for transportation to a place or places outside the City and County (including a place or places outside the State of California).

(e) Nothing in this Section of shall be construed to require the inclusion of the amount received for the leasing or renting of any passenger vehicle the entire use of which is made wholly outside the State of California.))

Section 2. Article 19 is hereby added to Part III of the San Francisco Municipal Code to read as follows:

Article 19

VEHICLE RENTER TAX.

Sec. 1901.	Title.
Sec. 1902.	Purpose.
Sec. 1903.	Definitions.
(a)	City.
(b)	Controller.
(c)	Month.
(d)	Passenger Vehicle.
(e)	Person.
(f)	Rental Operator.
(g)	Rental User.
(h)	Tax collector.
Sec. 1904.	City, Public Entity & Constitutional Exemptions.
Sec. 1905.	Vehicle Renter Tax Imposed.
Sec. 1906.	Nexus with Taxpayer.
Sec. 1907.	Registration of Rental Operators.
Sec. 1908.	Collection of Tax.
Sec. 1909.	Reporting and Remitting.
Sec. 1910.	Deficiency Determinations / Determinations if No Return Made.
Sec. 1911.	Jeopardy Determinations.
Sec. 1912.	Redeterminations.
Sec. 1913.	Interest and Penalties.
Sec. 1914.	Appeal; Board of Review.
Sec. 1915.	Records.
Sec. 1916.	Refunds.
Sec. 1917.	Rules and Regulations.
Sec. 1918.	Violations: Misdemeanor.
Sec. 1919.	Savings Clause.
Sec. 1920.	Effective/Operative Dates.
Sec. 1921.	Hearing/Sunset.

SEC. 1901. TITLE. This ordinance shall be known as the "San Francisco Vehicle Renter Tax Ordinance."

SEC. 1902. PURPOSE. The tax imposed by this Article is

solely for the purpose of providing general revenue for the usual current expenses of the City. The provisions of this Article are not enacted for regulatory purposes.

SEC. 1903. DEFINITIONS. As used in this Article, the following words shall have the meaning ascribed to them in this Section, except as and if the context clearly indicates or requires a different meaning:

(a) City. "City" means the City and County of San Francisco.

(b) Controller. "Controller" means the Controller of the City and County of San Francisco.

(c) Month. "Month" means a calendar month.

(d) Passenger Vehicle. "Passenger Vehicle" means a motor vehicle, other than a motor truck or truck tractor, designed for carrying not more than 10 persons including the driver, and used or maintained for the transportation of persons. The term "passenger vehicle" shall include a housecar, as defined by the California Vehicle Code.

(e) Person. "Person" includes a natural person, domestic or foreign corporation, association, syndicate, joint stock company, partnership of any kind, joint venture, club, association, cooperative organization, fraternal organization, nonprofit organization, corporation, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy.

(f) Rental Operator. "Rental Operator" means any person engaged in the business of renting passenger vehicles to the public within the City. A person is engaged in the business of renting passenger vehicles within the City if such person or such person's employee(s), either:

(i) maintains a fixed place of business within the City; or

(ii) owns or leases real property within the City for business purposes; or

(iii) maintains a stock of tangible personal property in the City, for lease or sale within the ordinary course of such person's business; or

(iv) conducts continuous solicitation of business within the City; or

(v) performs work or renders services in the City on a regular and continuous basis involving not less than seven working days per year for all such employees; or

(vi) utilizes the streets within the City in connection with the operator of motor vehicles for business purposes.

(g) Rental User. "Rental User" means any person required to pay the tax imposed by this Article.

(h) Tax collector. "Tax Collector" means the Tax Collector of the City and County of San Francisco.

SEC. 1904. CITY, PUBLIC ENTITY & CONSTITUTIONAL EXEMPTIONS. Nothing in this Article shall be construed as imposing a tax upon:

(1) the City and County; or

(2) any person when imposition of such tax upon that person would be in violation of the Constitution of the United States or that of the State of California; or

(3) The State, any County, municipal corporation, City and County, district or any political subdivision of the State of California.

SEC. 1905. VEHICLE RENTER TAX IMPOSED. (a) There is hereby imposed a tax upon every person who acquires any passenger vehicle within the City, for the transportation of persons or property, under a contract with a rental operator for lease or hire for a period of less than 30 days. The tax imposed by this Article shall be at the rate of two dollars ($2.00) per rental day with a maximum of sixteen dollars ($16.00) per rental agreement.

(b) The tax imposed by this Article shall be paid by the rental user to the rental operator and shall be stated as a separately stated charge ("San Francisco Vehicle Renter Tax") on rental agreements subject to taxation under this Article. It shall be unlawful for any rental operator to advertise or hold out or state to the public or to any rental user, directly or indirectly, that the tax imposed by this Article or any part thereof, will be assumed or absorbed by the operator or that it will not be added to the rental charges, or that, if added, it or any part thereof will be refunded.

SEC. 1906. NEXUS WITH TAXPAYER. (a) This tax shall apply to any person who rents a passenger vehicle within the City. Within the meaning of this Article, a person rents a passenger vehicle within the City if he or she either: (i) enters into or executes a contract within the City with a rental operator for lease or hire of a passenger vehicle; or (ii) takes possession of a passenger vehicle at an address within the City under a contract for lease or hire with a rental operator.

(b) Notwithstanding the provisions of subsection (a) of this Section, the tax imposed by this Article shall not be applied to the rental of any passenger vehicle the entire use of which is made wholly outside the State of California, and a credit shall be provided for any rental user who demonstrates that a contract for lease or hire is subject to a vehicle renter tax imposed by another jurisdiction.

SEC 1907. REGISTRATION OF RENTAL OPERATORS. (a) Every person engaging in or about to engage in business within the City as a rental operator shall immediately register with the Tax Collector on a form provided by the Tax Collector. Rental operators shall register no later than 15 days after the operative date of the tax imposed by this Article, but such privilege of registration after the date of imposition of such tax shall not relieve any person from the obligation of collection of tax on and after the date of imposition thereof, regardless of registration.

(b) Such registration shall set forth the name under which such person transacts or intends to transact business, the location of his or her place or places of business and such other information to facilitate collection of the tax as the Tax Collector may require. The registration shall be signed by the owner if a natural person, by a member or partner, in the case of a partnership, by an executive officer or some person specifically authorized by the corporation to sign the registration, in the case of a corporation.

(c) The Tax Collector shall within five days after such registration issue without charge a certificate of authority to each registrant to collect the tax from the rental user, together with a duplicate thereof for each additional place of business of such registrant. Each certificate and duplicate shall state place of business to which it is applicable and shall be prominently displayed therein so as to be seen and come to the notice readily of all rental users. Such certificates shall be nonassignable and nontransferable and shall be surrendered immediately to the Tax Collector upon the cessation of business at the location named or upon its sale or transfer.

(d) If the Tax Collector deems it necessary in order to facilitate initial registration hereunder of persons engaged in business on or prior to the date of imposition of tax under this Article, the Tax Collector may prescribe provisions therefor in lieu of those herein provided. Such registration and the certificate thereof shall have the same effect as that provided herein.

SEC. 1908. COLLECTION OF TAX. (a) Every rental operator shall collect the amount of the tax imposed by this Article from the rental user at the time of collecting rental charges from the rental user and shall enter the amount of tax paid in the rental agreement. The duty to collect tax from rental users shall commence with contracts for lease or hire commencing on or after the operative date of the tax imposed by this Article.

(b) Any tax required to be paid by the rental user under this Article shall be deemed a debt owed by the rental user to the City and County. This obligation is not satisfied until the tax has been paid to the City, except that a rental agreement indicating payment of rental charges from a rental operator required to collect the tax imposed by this Article shall be sufficient to relieve the rental user from further liability for the tax.

(c) In all cases in which a tax required to be collected under this Article is not collected by the rental operator, the rental operator shall be liable to the Tax Collector for the amount of the tax due from the rental user the same as though the tax were paid by the rental user.

(d) In all cases of transactions upon credit or deferred payment, the payment of tax to the Tax Collector may be deferred in accordance therewith, and the operator shall be liable therefore at the time and to the extent that such credits are paid or deferred payments are made in accordance with the rate of tax owing on the contract for lease or hire.

SEC. 1909. REPORTING AND REMITTING. (a) All amounts of tax required to be collected by this Article are due and payable to the Tax Collector for each calendar quarter on or before the last day of the month immediately following each respective quarterly period.

(b) On or before the last day of the month immediately following each respective quarterly period, every operator shall file a return for the preceding quarterly period with the Tax Collector, on such forms as the Tax collector may prescribe.

(c) Returns shall show the amount of tax required to be collected for the related period and such other information as the Tax Collector requires. The Tax Collector may require returns to show the total number of contracts for lease or hire upon which tax was required to be collected and the amount of tax due on the basis of the duration of such contracts for lease or hire. The person required to file the return shall transmit the return, together with remittance of the amount of tax due, to the Tax Collector, at the Tax Collector's office, on or before the date provided in this Section. Returns and remittances are due immediately upon cessation of business for any reason.

(d) For good cause, the Tax Collector may extend, for not to exceed one month, the time for making any return or payment of tax. No further extension shall be granted except by the Board of Review. Any person to whom an extension is granted, whether by the Tax Collector under this Section or by the Board of Review under Section 1914, subsection (b), subparagraph (iv), who makes return

and pays the tax within the period of such extension shall pay, in addition to the tax, interest on the amount thereof at the rate of one percent per month, or fraction thereof, for the period of such extension to the time of return and payment.

SEC. 1910. DEFICIENCY DETERMINATIONS / DETERMINATIONS IF NO RETURN MADE. (a) Deficiency Determinations: If the Tax Collector is not satisfied with the return or returns or with the amount of the tax required to be paid or remitted to the City by any rental user or rental operator, the Tax Collector may compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns or upon the basis of any information with the Tax Collector's possession or that may come into the Tax Collector's possession. One or more deficiency determinations of the amount due may be made for one or for more than one period.

(b) Determination if No Return Made: If any rental operator shall fail or refuse to collect any tax imposed by this Article and/or to make, within the time provided in this Article any report and remittance of said tax or any portion thereof required by this Article, the Tax Collector shall proceed in any manner as he or she may deem best to obtain facts and information on which to base his estimate of the tax due. The estimate shall be made for the period or periods in respect to which the person failed to make a return, and shall be based upon any information which is in the Tax Collector's possession or may come into his possession. The Tax

Collector shall determine and assess against any such rental operator who has failed or refused to collect tax under this Article or to make a report and remittance, the tax, interest and penalties provided by this Article.

(c) Offsetting of Overpayments: In making a determination, the Tax Collector may offset overpayments for a period or periods, together with interest on the overpayments, against underpayments for another period or periods, against penalties, and against the interest on the underpayments. The interest on underpayments and overpayments shall be computed in the manner set forth in Section 1913, Subsection (c).

(d) Notice of Determination: The Tax Collector shall give to the rental operator written notice of the Tax Collector's determination. The notice may be served personally or by mail. If served by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the rental operator at the operator's address as it appears in the records of the Tax Collector. In case of service by mail of any notice required by this Article, the service is complete at the time of deposit in the United States Post Office.

(e) Time Within Which Determination to be Made: Except in the case of fraud, intent to evade this Article or authorized rules and regulations, or failure to make a return, every notice of a determination shall be mailed within three years after the fifteenth day of the calendar month following the quarterly period for which

the amount is proposed to be determined or within three years after the return is filed, whichever period expires later.

SEC. 1911. JEOPARDY DETERMINATIONS. (a) If the Tax Collector believes that the collection of any tax or any amount of tax required to be collected and paid to the City or any determination will be jeopardized by delay, he or she shall thereupon make a determination of the tax or amount of tax required to be collected, noting that fact upon the determination. The amount determined is immediately due and payable.

(b) If the amount specified in the determination is not paid within 10 days after service of notice thereof upon the person against whom the determination is made, the amount becomes final at the expiration of the 10 days, unless a petition for redetermination is filed within the 10 days, and the delinquency penalty and the interest provided in Section 1913 shall attach to the amount of the tax or the amount of the tax required to be collected.

(c) The person against whom a jeopardy determination is made may petition for the redetermination thereof pursuant to Section 1912 of this Article. Said person shall, however, file the petition for redetermination with the Tax Collector within 10 days after the service upon him of notice of determination.

SEC. 1912. REDETERMINATIONS. (a) Right to Petition: Any person against whom a determination is made under this Article or

any person directly interested may petition for a redetermination within 30 days after service upon the person of notice thereof. If a petition for redetermination is not filed within the 30-day period, the determination becomes final at the expiration of the period.

(b) Oral Hearing: If a petition for redetermination is filed within the 30 day period, the Tax Collector shall reconsider the determination, if the person has so requested in his or her petition, shall grant the person an oral hearing and shall give the person 10 days' notice of the time and place of the hearing. The Tax Collector may continue the hearing from time to time as may be necessary.

(c) Alteration of Determination: The Tax Collector may decrease or increase the amount of the determination before it becomes final but the amount may be increased only if a claim for the increase is asserted by the Tax Collector at or before the hearing.

(d) Finality of Order: The order or decision of the Tax Collector upon a petition for redetermination becomes final 30 days after service upon the petitioner or notice thereof, unless appeal of such order or decision is filed with the Board of Review within 15 days after service of such notice.

(e) Time for Payment: All determinations made by the Tax Collector under Section 1910, subsections (a) and (b) are due and payable at the time they become final.

(f) Notices: Any notice relating to redetermination proceedings shall be served personally or by mail in the manner prescribed in Section 1910, subsection (d).

SEC. 1913. INTEREST AND PENALTIES. (a) Any rental operator who fails to remit any tax imposed by this Article within 10 days after receipt of written notice from the Tax Collector of such failure shall pay a penalty of twenty percent (20%) of the amount of the tax.

(b) If the Tax Collector determines that the nonpayment of any remittance due hereunder is due to fraud, a penalty of twenty-five percent (25%) of the amount of the tax shall be added thereto in addition to the penalty stated in subsection (a) of this Section.

(c) In addition to the penalties imposed in this subsection, any rental operator who fails to remit any tax imposed by this Article shall pay interest at the rate of one percent (1%) per month, or fraction thereof, on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

(d) Every penalty imposed on a rental operator, and such interest as accrues under the provisions of this section shall become part of the tax required to be remitted.

SEC. 1914. APPEAL; BOARD OF REVIEW. (a) A Board of Review

consisting of the Chief Administrative Officer, the Controller and the Assessor is hereby created. The Board shall select from its members a chairperson who shall serve at its pleasure. Any member of the Board may deputize in writing filed with the Board any member of his or her office to serve in his or her place on such Board for such period or in such hearing as he or she may desire. A majority of the members of the Board shall constitute a quorum. The Board shall keep a record of its transactions. The Board shall be deemed to be in the Office of the Chief Administrative Officer, shall meet and keep its files in his or her office, and all filing with the Board relating to appeals or otherwise shall be made at such office. Neither the members of the Board nor the members of their offices deputized to serve in their places at any time shall receive any compensation as such members or acting members for their services on the Board.

(b) The Board shall have the power, and it shall be its duty:

(i) To hear and determine appeals of orders or decisions of the Tax Collector made upon petition for redetermination of tax. The Board may affirm, modify or reverse such orders or decisions or dismiss the appeals therefrom, as may be just, and shall prescribe such forms, rules and regulations relating to appeals as it may deem necessary. In the review of the Tax Collector's decision or order, the Board may take such evidence and make such investigation as it may deem necessary. It shall give notice of its determinations in the manner prescribed in Section 1910, subsection (d), and shall

file a copy of each such determination with the Tax Collector with certification thereon of the date and service thereof. Such determination shall become final 10 days thereafter and shall thereupon become due and payable, subject to interest and penalties, and enforceable by the Tax Collector in like manner as an order or decision of the Tax Collector.

(ii) To approve, modify, or disapprove all forms, rules and regulations prescribed by the Tax Collector in the administration and enforcement of this Article, and such forms, rules and regulations shall be subject to, and become effective only on, such approval.

(iii) To hear and determine in such manner as shall be just, any protest which may be made by an person who may be interested to any form, rule or regulation approved or prescribed by the Board.

(iv) To grant for good cause, applications for extensions of time in excess of one month, for making any return of payment of tax, and to prescribe rules therefor.

SEC. 1915. RECORDS. It shall be the duty of every rental operator to keep and preserve, for a period of three years, all records as may be necessary to determine the amount of such tax rental operator may have been required to collect and remit to the City, which records the Tax Collector shall have the right to inspect at all times during normal business hours.

(b) The Tax Collector or any person authorized in writing by

the Tax Collector may examine during normal business hours the books, papers, records, and equipment of any person renting passenger vehicles and any person liable for the tax and may investigate the character of the business of the person in order to verify the accuracy of any return made, or, if no return is made by the person, to ascertain and determine the amount required to be paid.

(c) In administration of the tax imposed by this Article, the Tax Collector may require the filing of reports by any person or class of persons having in their possession or custody information relating to rentals of passenger vehicles which are subject to this tax. The reports shall be filed when the Tax Collector requires and shall set forth the date or dates of the rental and such other information as the Tax Collector may require.

SEC. 1916. REFUNDS. (a) Whenever the amount of any tax, interest, or penalty has been overpaid or paid more than once, or has been erroneously or illegally collected or received by the City and County under this Article, it may be refunded as provided in subsections (b) and (c) of this Section, provided a claim in writing therefor, stating under penalty of perjury the specific grounds upon which the claim was founded, is filed with the Tax Collector within three years of the day of payment. The claim shall be on a form furnished by the Tax Collector. The claim shall be audited in the manner provided for in the Charter. If the claim is approved by the

Tax Collector and by the Controller, the excess amount collected or paid may be refunded or may be credited on any amount due and payable, from the person from whom it was collected or by whom paid and the balance may be refunded to such person, his or her administrator or executors.

(b) A rental operator may claim a refund or claim a credit against taxes to be collected and remitted of the amount overpaid or paid more than once, or erroneously or illegally collected or received; provided, however that neither a refund or a credit shall be allowed unless the amount of the tax so collected has either been refunded to the person entitled thereto or credited to the charges subsequently payable by such person to the rental operator.

(c) A rental user may obtain a refund of taxes overpaid or paid more than once or erroneously or illegally collected or received by the City and County by filing a claim in the manner provided in subsection (a) of this Section, but only when the tax was paid by the rental user directly to the Tax Collector, or when the the rental user, having paid the tax to the rental operator, establishes to the satisfaction of the Tax Collector that the rental user has been unable to obtain a refund from the service supplier who collected the tax.

SEC. 1917. RULES AND REGULATIONS. The Tax Collector shall have power to adopt rules and regulations not inconsistent with the provisions of this Article for the purpose of carrying out and

enforcing the payment, collection and remittance of the tax herein imposed. A copy of such rules and regulations shall be on file and available for public examination in the Tax Collector's office. Failure or refusal to comply with any rules and regulations promulgated under this Section shall be deemed a violation of this Article.

SEC. 1918. VIOLATIONS: MISDEMEANOR. (a) Any person violating any of the provisions of this Article shall be guilty of a misdemeanor and shall be punishable therefor by a fine of not more than $500 or by imprisonment for a period of not more than six months or by both such fine and imprisonment.

(b) Any rental operator who fails or refuses to furnish any return required to be made, or who fails or refuses to furnish other data required by the Tax Collector or who renders a false or fraudulent return or claim, is guilty of a misdemeanor, and is punishable as aforesaid. Any person required to make, render, sign or verify any report or claim who makes any false or fraudulent report or claim with intent to defeat or evade the determination of any amount due required by this Article, is guilty of a misdemeanor and is punishable as aforesaid.

SEC. 1919. SAVINGS CLAUSE. This Article shall not apply to any person as to whom, or to any rental as to which, it is beyond the power of the Board of Supervisors to impose the tax herein

provided. If any section, subsection, paragraph, sentence, clause or phrase of this Article, or any part thereof, is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Article or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases be declared invalid.

SEC. 1920. EFFECTIVE/OPERATIVE DATES. This Article shall become effective upon passage, except that the tax imposed by this Article shall become operative and be imposed on October 1, 1993, and shall not apply prior to said date.

SEC. 1921. HEARING/SUNSET. The Board of Supervisors shall conduct a public hearing during the month of October, 1994 to consider the impact of the tax imposed by this Article on the rental car industry and to consider whether the revenues generated by the tax have met the Controller's projections. ~~This tax imposed by this Article shall expire on October 31, 1995.~~

kg
8/18/93

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

SUPERVISOR CONROY
6235g

8/18/93
Page No -23-

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading		Finally Passed
September 20, 1993		September 27, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kennedy Maher Migden Shelley		Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Alioto Kaufman Leal		Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
127-93-19

SEP 30 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 97-93-47 ORDINANCE NO. 307-93

[ESTABLISHMENT OF CASH REVOLVING FUND FOR THE COMMISSION ON THE STATUS OF WOMEN]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.169-11 ESTABLISHING A CASH REVOLVING FUND FOR THE COMMISSION ON THE STATUS OF WOMEN IN THE AMOUNT OF $500.

Note: The entire ordinance is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 10.169-11, thereof, to read as follows:

Sec. 10.169-11. CASH REVOLVING FUNDS - COMMISSION ON THE STATUS OF WOMEN; $500.

APPROVED AS TO FORM:
LOUISE H. RENNE
City Attorney

BY _____
Deputy City Attorney

6257q

SUPERVISOR ALIOTO

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 20, 1993	September 27, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Alioto Kaufman	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 97-93-47

OCT 5 1993
Date Approved

_____
Mayor

DOCUMENTS DEPT.
OCT 26 1993
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As amended in Board 9/20/93

FILE NO. 121-93-11 ORDINANCE NO. 308-93

[Signs Prohibited -- Path of Gold Lampposts]

AMENDING ARTICLE 10 OF THE SAN FRANCISCO POLICE CODE BY ADDING SECTION 675.2 THERETO, RELATING TO REGULATING THE POSTING OF SIGNS ON LAMPPOSTS ALONG MARKET STREET.

NOTE: Entire Section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 10 of the San Francisco Police Code is amended by adding Section 675.2 thereto, reading as follows:

SEC. 675.2 SIGNS ON MARKET STREET LAMPPOSTS PROHIBITED; PENALTY FOR VIOLATION.

(a) Findings. The Board hereby finds and declares: The City and County has a compelling need to prohibit the posting of signs on lampposts, making up the 'Market Street's Path of Gold', located on Market Street between Steuart and Castro Streets to prevent damage to this property. The 327 lampposts of the Path of Gold are a designated historic landmark of the City and County of San Francisco. The pillars of the 33-foot high lampposts were shaped to include historical subjects as decoration, including Indians on horseback and ox-drawn covered wagons pictured with a pioneer. The use of these ornate polls for the purpose of posting signs threatens the preservation of these landmarks. Accordingly,

it is the intention of the Board of Supervisors in adopting this amendment to prohibit the posting of any signs under any circumstances, on any lamppost located on Market Street between Steuart and Castro Streets.

(b) Posting Signs Prohibited. Notwithstanding provisions of any ordinance of the City and County of San Francisco, no person, firm, corporation, committee, partnership, or organization, except a duly authorized public officer or employee or contractor with the City and County of San Francisco acting to promote the purposes of that contract, may erect, construct or maintain, paste, paint, print, nail, tack or otherwise fasten or affix, any sign, or cause or suffer the same to be done, on any lamppost, making up the Market Street's Path of Gold', located on Market Street between Steuart and Castro Streets.

(c) Penalty. Any person violating Section 675.2 of this Code shall be deemed guilty of an infraction, and upon such conviction shall be fined not less than $50 nor more than $250, and be subject to provisions that require payment for expenses incurred by the City in removing the signs, pursuant to Section 675(f). In the event that the complaint alleges four or more violations of this Section, then the prosecutor, and only the prosecutor, may charge each of the new violations as a misdemeanor. Upon conviction of any violation of this Section as a misdemeanor, the court shall impose a fine of $500 and may sentence the defendant up to six months in County Jail.

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(d) Duty to Inform - Registrar and Public Works. The Director of the Department of Public Works shall prominently provide notice of this ordinance in any materials made available to the public regarding the sign posting regulations of the City and County of San Francisco. Further, the Registrar of Voters shall inform any person who qualifies to be a candidate for a local office of this ordinance and shall make information about this ordinance available to all other candidates and proponents of ballot measures.

The notice requirements of this section are intended to enhance community awareness of the special status of the Path of Gold lampposts. Accordingly, the failure of the Director of the Department of Public Works or the Registrar to provide the notice required by this section shall not relieve any person of criminal or civil liability for postings that violate this section.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

SUPERVISOR ALIOTO
6450g

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 20, 1993	September 27, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Alioto Kaufman	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
121-93-11

OCT 5 1993
Date Approved

_____
Mayor

FILE NO. 121-93-12 ORDINANCE NO. 309-93

[Filing & License Fees for Police Permits]

AMENDING PART II, CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTIONS 2.26, 2.26.1, 2.27 AND 2.27.1, RELATING TO PERMIT FILING FEES AND PERMIT LICENSE FEES, BY INCREASING THE FEES.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter VIII of the San Francisco Municipal Code (Police Code) is hereby amended by amending Sections 2.26, 2.26.1, 2.27 and 2.27.1 thereof, to read as follows:

SEC. 2.26. SCHEDULE OF PERMITS AND FILING FEES. The following filing fees, payable in advance to the Police Department, are required when submitting applications for permits to the Police Department:

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SUPERVISOR ALIOTO

6199g

BOARD OF SUPERVISORS

TYPE OF PERMIT		FILING FEE
Permit Amendment/Additional Partner	((($55))	$60
Amusement Park	((470))	565
Antique Shop	((340))	422
Auto Wrecker	((422))	512
Ball or Ring Throwing Games	((290))	365
Balloon and Kite Advertising	((190))	275
Billiard Parlor	((298))	337
Bingo Games	((50))	50
Amendment to Permit	((50))	50
Cabaret	((638))	754
Circus	((340))	406
Closing-Out Sale	((262))	294
Dance Hall Keeper	((638))	754
One Night Dance	((25))	28
Dealer in Firearms and/or Ammunition	((470))	564
Renewal	((158))	170
Discharge of Cannon	((175))	234
Distributor of Advertising		
Class A	((331))	374
Class B	((291))	327
Driverless Auto Rental	((365))	445
Encounter Studio		
Owner	((375))	460
Employee	((128))	144

BOARD OF SUPERVISORS

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TYPE OF PERMIT	FILING FEE	
Escort Service		
Owner	((240))	505
Employee	((128))	144
Funeral Procession Escort	((145))	160
Insignia and Uniform	((18))	10
General Soliciting Agent	((160))	180
Itinerant Show	((350))	428
Itinerant Show/Non Profit	((100))	100
Junk Dealer	((517))	617
Junk Gatherer		
Resident	((582))	325
Non-resident	((292))	263
Licensed Tour Guide	((175))	194
Loudspeaker		
Commercial	((275))	300
Non-commercial	((30))	35
Vehicle	((275))	300
Masked Ball	((410))	499
Massage Establishment	((985))	1,144
Masseur/Masseuse	((128))	144
Trainee	((128))	144
Mechanical Amusement Devices	((360))	400
Mechanical Contrivance	((360))	400
Miniature Golf Course	((380))	430
Mobile Caterer	((450))	485
Additional Stop	((50))	55

Assistant	((50))	55
Transfer of Stop	((40))	45
Museum	((375))	458
Nude Models in Public Photographic Studio		
Owner	((435))	526
Employee	((128))	144
Off-Heliport Landing Site	((290))	365
Outcall Massage	((302))	340
Pawnbroker	((470))	569
Peddler		
Fish, Vegetables, Fruit	((320))	305
Food for Human Consumption	((320))	305
Non Food	((220))	245
Employee	((50))	55
Pedicab Driver	((50))	55
Pedicab Owner		
first pedicab	((235))	265
each additional pedicab	((55))	60
Photographer, Public Place		
Owner	((280))	318
Employee	((50))	55

TYPE OF PERMIT	FILING FEE	
Photographic Solicitor		
Owner	((280))	318
Employee	((50))	55
Place of Entertainment	((638))	754
Poker	((485))	580
Amendment to Permit	((55))	60
Public Bathhouse	((630))	743
Public Outcry sales	((318))	395
Pushcart Peddler	((345))	365
Recreational Equipment Vendor	((255))	305
Rodeo Exhibition/Wild West Show	((340))	415
Second Hand Dealer	((340))	422
Second Hand Dealer, Auto Accessories	((340))	422
Shooting Gallery	((445))	540
Skating Rink	((355))	438
Street Photographer		
Owner	((240))	270
Solicitor	((145))	165
Tow Car Driver	((125))	141
Trade-In Dealer	((340))	422
Valet Parking		
Fixed Location	((255))	287
Annual Special Event	((140))	155
Vehicle for Hire, Non-motorized	((235))	365

Section 2.26.1. SCHEDULE OF PERMITS AND FILING FEES.

Notwithstanding the provisions of Section 1085 of this code, the following filing fees, payable in advance to the Police Department, are required when submitting applications for Motor Vehicle for Hire permits to the Police Department.

TYPE OF PERMIT	FILING FEE	
Color Scheme Change	$ ((60))	$65
Interurban Bus	((240))	256
Jitney Bus Driver	((50))	50
Jitney Bus Owner	((240))	256
Limousine	((240))	256
Motorized Rickshaw	((240))	256
Public Passenger Vehicle Driver	((45))	50
Sightseeing Bus	((240))	256
Taxicab	((240))	256
Taxicab Radio Dispatch Service	((300))	321

SEC. 2.27. SCHEDULE OF LICENSE FEES FOR PERMITS ISSUED BY THE POLICE DEPARTMENT. The following license fees are payable to the Tax Collector for permits issued by the Police Department and, when applicable, for their renewal:

NOTE: All license fees are at an annual rate unless otherwise indicated.

TYPE OF PERMIT	LICENSE FEE	
((Advertising Vehicle	$115))	
Amusement Park	((167))	$224
Antique Shop	((28))	38
Auto Wrecker	((219))	294
Ball or Ring Throwing Games	((73))	98
Balloon and Kite Advertising	((39))	53
	per quarter	
Billiard Parlor		
1st table	((67))	90
Each additional table	((6))	8

TYPE OF PERMIT	LICENSE FEE	
Bingo Game	((50))	50
Cabaret	((180))	250
Circus	((148))	198
		per day
Dance Hall Keeper	((188))	250
Dealer in Firearms and/or Ammunition	((259))	272
Discharge of Cannon	((22))	29
		per day
Distributor of Advertising		
Class A	((60))	81
Class B	((16))	21
Driverless Auto Rental	((145))	194
Encounter Studio		
Owner	((229))	308
Employee	((25))	34
Escort Service		
Owner	((232))	311
Employee	((40))	54
Funeral Procession Escort	((52))	69
General Soliciting Agent	((39))	53
Itinerant Show, each concession	((20))	26
		per day
Junk Dealer	((244))	328

Junk Gatherer		
Resident	((75))	62
Non-resident	((46))	62
Licensed Tour Guide	((69))	92
Loudspeaker, Commercial	((72))	97
Masked Ball	((105))	140
		per day
Massage Establishment	((249))	334
Masseur/Masseuse	((40))	54
Trainee	((10))	54
		per 90-day permit
Mechanical Amusement Devices		
1st machine	((111))	137
Each additional machine	((17))	21
Mechanical Contrivance		
1st machine	((102))	137
Each additional machine	((16))	21
Miniature Golf Course	((74))	99
Mobile Caterer	((389))	420
Assistant	((22))	29
Museum	((92))	124

TYPE OF PERMIT		LICENSE FEE
Nude Models in Public Photography Studio		
Owner	((219))	294
Employee	((39))	54
Off-Heliport Landing Site	((17))	23
		per day
Outcall Massage	((211))	284
Pawnbroker	((241))	323
Peddler		
Fish, Vegetables, Fruit	((385))	450
Food for Human consumption	((385))	450
Non Food	((89))	120
Employee	((36))	48
Pedicab Driver	((12))	16
Pedicab Owner		
first pedicab	((174))	200
each additional pedicab	((98))	100
Photographer, Public Place		
Owner	((92))	124
Solicitor	((35))	47
Photographic Solicitor		
Owner	((75))	100
Employee	((36))	47
Place of Entertainment	((196))	250
Poker	((141))	189
Public Bathhouse	((196))	263

Public Outcry Sales	((132))	177
Pushcart Peddler	((387))	450
Recreational Equipment Vendor	((141))	189
Rodeo Exhibition/Wild West Show	((67))	90
		per day
Second Hand Dealer	((28))	38
Second Hand Dealer, Auto Accessories	((28))	38
Shooting Gallery	((73))	98
Skating Rink	((161))	216
Street Photographer		
Owner	((75))	100
Solicitor	((36))	48
Tow Car Driver	((15))	20
Trade-In Dealer	((276))	370
Valet Parking		
Fixed Location	((149))	160
Annual Special Event	((78))	100
Vehicle for Hire, Non-motorized	((74))	100

Section 2.27.1. SCHEDULE OF LICENSE FEES FOR MOTOR VEHICLE FOR HIRE PERMITS ISSUED BY THE POLICE DEPARTMENT. Notwithstanding the provisions of Section 1085 of this Code, the following license fees are payable to the Tax Collector for permits issued by the Police Department and, when applicable, for their renewal.

Note:All license fees are at an annual rate unless otherwise indicated.

TYPE OF PERMIT	LICENSE FEE	
Interurban Bus	((240))	$264
Jitney Bus Driver	((50))	55
Jitney Bus Owner	((240))	264
Limousine	((240))	264
Motorized Rickshaw	((240))	264
Public Passenger Vehicle Driver	((25))	27
Sightseeing Bus	((240))	264
Taxicab Radio Dispatch Service Permit	((300))	330

provided, however, that a credit of $((180))192 shall be allowed against the fee for each taxicab licensed by an operator who has agreed to participate throughout the permit year in the Paratransit Program referred to in Section 1135 of this Code.

APPROVED AS TO FORM:

LOUISE M. RENNE, City Attorney

Theodore R. Lakey

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 20, 1993	September 27, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Alioto Kaufman	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 121-93-12

OCT 5 1993
Date Approved

Frank M. Jordan
Mayor

(Parking Tax)

AMENDING PART III OF THE SAN FRANCISCO MUNICIPAL CODE (REVENUE AND FINANCE AND BUSINESS REGULATIONS) BY REPEALING SECTION 602.5-2 THEREOF TO TERMINATE THE SUSPENSION OF ONE-HALF OF THE TEN PERCENT PARKING TAX SURCHARGE; AND AMENDING SECTIONS 608, 609 AND 610 THEREOF TO REQUIRE MONTHLY PREPAYMENT OF PARKING TAX EFFECTIVE OCTOBER 1, 1993.

Note: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The suspension of one-half of the ten percent parking tax surcharge imposed pursuant to Section 602.5 of Article 9 of Part III of the San Francisco Municipal Code, which suspension was implemented by the addition of Section 602.5-2 thereof, is hereby terminated.

Section 2. Section 602.5-2 of Article 9 of Part III of the San Francisco Municipal Code is hereby repealed in its entirety, which section read as follows:

((SEC. 602.5-2 **SUSPENDING FIVE PERCENT OF THE PARKING TAX SURCHARGE UPON CERTAIN CONDITIONS.** Five percent of the

10-percent parking tax surcharge, which was approved as "Proposition R" on the June 3, 1980 ballot, shall be suspended, effective January 1, 1993 or after, the suspension going into effect only upon the approval of a supplemental appropriation that increases the general fund contributed revenue reserves in fiscal year 1992-1993 to $10,000,000, as certified by the Controller. The suspension shall expire upon the adoption of an ordinance by the Board of Supervisors terminating the suspension.))

Section 3. Section 608 of Article 9 of Part III of the San Francisco Municipal Code is hereby amended as follows:

SEC. 608 **DETERMINATION, RETURNS AND PAYMENTS.** (a) **Due Date of Taxes.** All amounts of taxes imposed by this Article and collected by any operator or required to be collected by any operator are due and payable to the Tax Collector for each calendar quarter on or before the last day of the month immediately following each respective quarterly period.

(b) **Return; Time for Filing; Person Required to File; Execution.** On or before the last day of the month immediately following each quarterly period, a return for the preceding quarterly period shall be filed with the Tax Collector by every operator, in such form as the Tax Collector may prescribe((, by every operator)).

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(c) **Contents of Return.** Returns shall show the amount of tax collected or otherwise due for the related period and such other information as is required by the Tax Collector. The Tax Collector may require returns to show the total rentals upon which tax was collected or otherwise due, the gross receipts of a registered operator for such period and the explanation in detail of any discrepancy between such amounts.

(d) **Delivery of Return and Remittance.** The person required to file the return shall transmit the return, together with the remittance of the amount of the tax due, to the Tax Collector at the Tax Collector's office on or before the date provided in this Section.

(e) **Prepayments.** Notwithstanding the date otherwise provided herein for the payment of the tax due hereunder, commencing October 1, 1993, all taxes required to be collected by any operator shall be paid in monthly installments. Monthly installments (estimated tax prepayments) shall be due and payable to the Tax Collector on or before the last day of the month immediately following the month for which the prepayment is due. Taxes paid in the first two monthly installments of any quarterly period shall be a credit against the total tax liability for the quarterly period. Estimated tax prepayments shall be computed based on the estimated tax collected or required to be collected from occupants during the month in question, but in no instance shall a prepayment be equal to a sum less than ninety percent of

one-third of the tax collected in the immediately preceding quarterly period. If the operator can establish by clear and cogent evidence that the amount of any prepayment will exceed the total tax liability for the quarterly period for which the tax prepayment becomes due, the Tax Collector may, in writing, adjust the amount of the tax prepayment. The third monthly installment of any quarterly period shall be in an amount equal to the total tax liability for the quarterly period, less the amount of any tax prepayment actually paid. Prepayments shall be accompanied by a tax prepayment form prepared by the Tax Collector, but failure of the Tax Collector to furnish the operator with a tax prepayment form shall not relieve the operator of the tax prepayment obligation set forth herein.

(f) **Extension of Time for Filing a Return and Paying Tax.** For good cause, the Tax Collector may extend, for not to exceed one month, the time for making any return or payment of tax. No further extension shall be granted except by the Board of Review. Any person to whom an extension is granted, whether by the Tax Collector under this Section or by the Board of Review under Section 615(b), who makes a return and pays the tax within the period of such extension shall pay, in addition to the tax, interest on the amount thereof at the rate of one percent per month, or fraction thereof, for the period of such extension to the time of return and payment.

Section 4. Section 609 of Article 9 of Part III of the San Francisco Municipal Code is hereby amended as follows:

SEC. 609 **DEFICIENCY DETERMINATIONS.** (a) **Recomputation of Tax; Authority to Make; Basis of Recomputation.** If the Tax Collector is not satisfied with the return or returns of the tax or the amount of the tax required to be paid to the City and County by any person, the Tax Collector may compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns or upon the basis of any information within the Tax Collector's possession or that may come into the Tax Collector's possession. One or more deficiency determinations may be made of the amount due for one or for more than one period.

(b) **Interest on Deficiency.** The amount of the determination, exclusive of penalties, shall bear interest at the rate of one percent per month or fraction thereof, from the last day of the month following the close of the month or the quarterly period for which the amount or any portion thereof should have been returned until the date of payment.

(c) **Offsetting Overpayments.** In making a determination the Tax Collector may offset overpayments for a period or periods together with interest on the overpayments, against underpayments for another period or periods, against penalties, and against the interest on the underpayments. The interest on underpayments and

overpayments shall be computed in the manner set forth in Sections 613 and 614.

(d) **Penalty; Negligence or Disregard of Rules and Regulations.** If any part of the deficiency for which a deficiency determination is made is due to negligence or intentional disregard of this Article or authorized rules and regulations, a penalty of 10 percent of the amount of the determination shall be added thereto.

(e) **Penalty for Fraud or Intent to Evade.** If any part of the deficiency for which a deficiency determination is made is due to fraud or an intent to evade this Article or authorized rules and regulations, a penalty of 25 percent of the amount of the determination shall be added thereto.

(f) **Notice of Tax Collector's Determination; Service of.** The Tax Collector shall give to the operator written notice of the Tax Collector's determination. The notice may be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the operator at such operator's address as it appears in the records of the Tax Collector. In case of service by mail of any notice required by this Article, the service is complete at the time of deposit in the United States Post Office.

(g) **Time Within Which Notice of Deficiency Determination Is To Be Mailed.** Except in the case of fraud, intent to evade this Article or authorized rules and regulations, or failure to make

an estimated tax prepayment or a return, every notice of a deficiency determination shall be mailed within three years after the fifteenth day of the calendar month following the month or the quarterly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires ((the)) later.

Section 5. Section 610 of Article 9 of Part III of the San Francisco Municipal Code is hereby amended as follows:

SEC. 610 **DETERMINATION IF NO RETURN MADE.** (a) **Estimate of Gross Receipts; Computation of Tax Penalty.** If any person fails to make an estimated tax prepayment or a return, the Tax Collector shall make an estimate of the amount of the gross receipts of the person, or, as the case may be, of the amount of the total rentals in the City and County which are subject to the tax. The estimate shall be made for the period or periods in respect to which the person failed to make an estimated tax prepayment or a return and shall be based upon any information which is in the Tax Collector's possession or may come into his possession. Upon the basis of this estimate the Tax Collector shall compute and determine the amount required to be paid to the City and County, adding to the sum thus computed a penalty equal to 10 percent thereof. One or more determinations may be made for one or for more than one period.

(b) **Manner of Computation; Offsets; Interest.** In making a determination the Tax Collector may offset overpayments for a period or periods, together with interest on the overpayments, against underpayments for another period or periods, against penalties, and against the interest on the underpayments. The interest on underpayments and overpayments shall be computed in the manner set forth in Sections 613 and 614.

(c) **Interest on Amount Found Due.** The amount of the determinations, exclusive of penalties, shall bear interest at the rate of one percent per month, or fraction thereof, from the last day of the month following the close of the month or quarterly period for which the amount or any portion thereof should have been returned until the date of payment.

(d) **Penalty for Fraud or Intent to Evade.** If the failure of any person to file an estimated tax prepayment or a return is due to fraud or an intent to evade this Article or rules and regulations, a penalty of 25 percent of the amount required to be paid by the person, exclusive of penalties, shall be added thereto in addition to the 10 percent penalty provided in Section 610(a).

(e) **Giving Notice; Manner of Service.** Promptly after making his determination the Tax Collector shall give to the person written notice of the estimate, determination and penalty, the

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notice to be served personally or by mail in the manner prescribed for service of a deficiency determination.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Larry Wayte
LAWRENCE A. WAYTE
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 13, 1993	September 27, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisor Kaufman	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
127-93-8

OCT 5 1993
Date Approved

Frank M. Jordan
Mayor

As amended in Board 9/13/93

FILE NO. 10-93-4

ORIGINAL

ORDINANCE NO. 311-93

9/13/93 ejp

(U.N. Plaza Farmers' Market Permit)

APPROVING A REVOCABLE PERMIT AS AMENDED FOR A FARMERS' MARKET AT UNITED NATIONS PLAZA.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Board of Supervisors hereby approves the form and substance of a certain Revocable Permit for Farmers' Market at United Nations Plaza, as amended, September 13, 1993, a copy of which is on file with the Clerk of the Board of Supervisors, between the City and County of San Francisco and the Heart of the City Farmers' Market, a non-profit corporation.

9/13/93 ejp

RECOMMENDED:

Chief Administrative Officer

APPROVED AS TO FORM:
LOUISE H. RENNE
City Attorney

By: Deputy City Attorney

CHIEF ADMIN. OFFICER

August 10, 1993

9/2/93 - As amended by Housing & Land Use Committee
9/13/93 As amended in Board

**REVOCABLE PERMIT
FOR
FARMERS' MARKET
AT
UNITED NATIONS PLAZA**

THIS REVOCABLE PERMIT, made this day of 1993, by the **CITY AND COUNTY OF SAN FRANCISCO**, a municipal corporation, hereinafter referred to as "City," and **HEART OF THE CITY FARMERS' MARKET**, a non-profit corporation, "Permittee;"

WITNESSETH:

For and in consideration of the premises and covenants of the parties hereinafter contained, the City and Permittee agree as follows:

1. **PERMIT AREA**

City does hereby grant to Permittee the right to establish and operate a certified nonprofit Farmers' Market in the United Nations Plaza, Fulton and Leavenworth Streets, San Francisco, California (hereinafter referred to as "Farmers' Market"). Said premises are more fully described on Exhibit "A", which is attached hereto and incorporated herein by reference (the "Permit Area").

2. **USE OF PREMISES**

Permittee shall occupy and use the Permit Area for establishing and operating a Farmers' Market for the sole and exclusive purpose of selling fresh fruits, vegetables, dried fruits, fresh and dried herbs, nuts, honey, eggs, house plants, potted or cut flowers, fowl and California seafood to the general public. Other than seafood and fowl, no live animals may be sold at the Market.

9/13/93 ejp

With respect to flowers, they may not be sold in greenery, arrangements of any sort. They must be loose and not adorned by ribbons, or other decoration. Sales area for flowers is limited to three (3) vendors per market day; the space for each limited to 9 feet by 12 feet in size.

With respect to fowl, the Market must adhere to all local, state and federal laws and ordinances, and to the guidelines that have been mutually agreed to by the Market and the City, attached as Exhibit "B".

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With respect to sanitation requirements, such use shall be consistent with the State Health and Safety Code, Articles 6 and 15 of which are specifically applicable and attached as Exhibit C.

Such use shall observe health requirements developed by the California Conference of Directors of Environmental Health, attached for reference as Exhibit D.

3. **NATURE OF RIGHTS**

This Permit grants to Permittee only a personal right to the use of the Permit Area in common with the public and does not create in Permittee any interest or estate in land including, but not limited to, any tenancy on leasehold interest. City reserves and shall at all times have the right to enter upon any portion of the Permit Area, with or without prior notice to Permittee. The public shall at all times have the right of access to the Permit Area and Permittee's use of the Permit Area shall not unduly impede or obstruct pedestrian access through and across the Permit Area. The City, acting through the Recreation and Park Commission, shall make every effort to notify the Permittee in advance of any permit being issued for the Permit Area on market days.

4. **EFFECTIVE DATE OF PERMIT**

This Permit shall not become effective until receipt by City of a copy of this Permit properly executed by Permittee and approval of this Permit by City's Board of Supervisors and Mayor.

This Permit may be terminated by either City or Permittee upon 60 days' written notice to the other party.

5. **PERMIT FEE**

In consideration of the use of the Permit Area, Permittee shall pay to City on or before March 31 of each year a Permit Fee in the amount of One Dollar ($1.00) per year, payable to the Real Estate Department, City and County of San Francisco, 25 Van Ness Avenue, Suite 400, San Francisco, California 94102 or at such other address as City may designate in writing.

6. **DAILY STALL FEES**

A daily stall fee of $16.00 shall be charged to each seller of products offered for sale at the Farmers' Market. This fee may be adjusted from time to time at the discretion of the Permittee. Said fee shall be collected by Permittee and shall be used in the operation of the market and the maintenance of the Plaza on market days.

7. **ACCOUNTING AND RECORDS**

Throughout the term of this Permit, Permittee shall use forms and methods approved by the City Controller for its annual reports of gross revenues received from stall fees. Upon City Controller's written request, Permittee shall make available for inspection and/or copying at Permittee's office any and all books, reports and accounts pertaining to any of its operations hereunder. The intent and purpose of this section is to ensure that Permittee shall keep and maintain records which will enable the City and Permittee to ascertain and determine, clearly and accurately, the gross revenues and costs incurred by Permittee from any operations permitted hereunder and that the form and method of Permittee's reporting will provide an adequate and proper control and check of all revenues derived hereunder.

A designated representative of the City shall have the right to examine and inspect the books and other records of Permittee at all reasonable times with respect to the business of Permittee conducted on the Permit Area. Information acquired by exercising this right shall not be made public except as required by law.

Upon request from the City, Permittee's books and records shall be audited at Permittee's sole cost and expense, at the review audit level, by a certified public accountant approved by the City Controller, and copies of said audit shall be furnished to the City's Department of Agriculture - Weights & Measures.

Upon request from the City, Permittee shall submit a complete annual operating statement reflecting gross revenues and expenses and a statement of cash flows to the City and County of San Francisco at the Department of Agriculture - Weights & Measures, 501 Army Street, Room 109A, San Francisco, California 94124 or at such other address as City may designate in writing.

8. **DAYS AND HOURS OF OPERATION**

Permittee shall operate a Farmers' Market on the Permit Area on Wednesday and Sunday of each week from 6 a.m. to 6 p.m., except that Permittee may elect not to operate or to operate on a shortened or lengthened schedule by prior agreement between Permittee and City's Department of Agriculture - Weights & Measures if weather or other factors make such changes mutually desirable. Such factors include but are not limited to: a parade or demonstration on the plaza, civil disruption in the area, inclement weather, fire, earthquake, an act of God, or a holiday.

Permittee shall not operate a Farmers' Market on the Permit Area or have the use of that area on any other days or at any other times on Wednesday or Sunday, except that Permittee may, by giving ten days written notice to the Agricultural Commissioner, elect to operate a Farmers' Market in some other area of San Francisco on Friday of each week from 6 a.m. to 6 p.m. Permittee may thereafter discontinue operation of a Farmers' Market on Fridays by giving City ten days' written notice of such discontinuance but, in such event, Permittee may not again elect to operate a Farmers' Market on Fridays for a period of 60 days following such discontinuance.

9. QUALITY OF SERVICE

All sellers of products at Farmers' Market shall be required to have a Certified Producer's Certificate from the Agricultural Commissioner in the county of production, if required for the seller's business, and such other state and local permits and licenses as are required for the business conducted by the seller.

The Farmers' Market operated on the Permit Area shall operate within the confines of the regulations established under Article 6.5, Title 3, California Code of Regulations, Sections 1392-1392.11. Said regulations are attached hereto as Exhibit E and incorporated herein by this reference.

10. UTILITIES

Permittee shall, at Permittee's sole cost and expense, pay for all costs of utility services including, but not limited to water, gas, electricity, telephone service, scavenger service and janitorial service.

11. MAINTENANCE OF PERMIT AREA

Permittee agrees to keep the Permit Area and all fixtures and equipment located thereon, in a clean, neat, safe, and sanitary condition and in good order at all times. Permittee shall provide a locked dumpster on the premises during market hours and shall deposit therein all trash, waste, rubbish, papers, cartons and refuse from the Permit Area and the area surrounding the area designated "clean-up area" on Exhibit A, by the later of 6 p.m. or one hour after closing on each day the Farmers' Market operates. Permittee shall clean the Permit Area after close of business on each day the Farmers' Market operates so as to leave said area in an orderly and clean condition. All materials and equipment used in connection with the Farmers' Market shall be removed by the later of 6 p.m. or one hour after closing on each day the Farmers' Market operates. Refuse service for the Market, including proper storage of refuse receptacles, are subject to the approval of the Chief of the Bureau of Environmental Health Services.

Permittee agrees to pay City, in advance, on the first day of each and every month, while this Permit is in effect, the sum of One Hundred Fifty Dollars ($150.00) to reimburse City for additional Department of Public Works' services to remove vegetable and fruit particles ground into the bricks. Payment shall be made to the Director of Public Works. If the market operates for more than two days per week, payment shall be increased $75 per month for each additional day per week.

Upon demand by City, Permittee shall pay to the City the cost of repairing any additional damage to the Permit Area caused by Permittee's activities. Before any repair is made, the City will notify Permittee of the extent and nature of the damage and the cost of repair. No payment will be required until the work has been completed.

12. ANNUAL SAFETY INSPECTION REQUIRED

At least once each year, the Permittee shall provide for a public safety audit of market operations to be performed by a qualified third party acceptable to the Department of Agriculture - Weights & Measures. It is specifically allowed that such acceptable third party may be the insurance company for the market. General standards for the public safety audit are attached as Exhibit F.

Permittee shall provide a copy of such public safety audit to the Department of Agriculture - Weights & Measures no later than March 31 of each year. If such copy is not received by the Department by that date, the City shall perform such audit, the costs for which shall be reimbursed by Permittee at a cost not to exceed $500.

13. OCCUPANCY OF PUBLIC STREET

The use and occupancy of the Permit Area is subject to the conditions contained in San Francisco Administrative Code Section 2.74, a copy of which is attached hereto as Exhibit G and incorporated herein by this reference, and may be terminated, permanently or for such periods of time as may be specified by the Board of Supervisors, the Chief of the Police Department, the Chief of the Fire Department, the Director of Public Works or the Recreation and Park Commission, with or without cause.

14. **PERMITTEE TO PAY FOR SERVICES AND DAMAGES**

Permittee hereby agrees to pay promptly all persons, firms, and corporations, including the City, all amounts due for wages, materials supplies, equipment, merchandise and commodities furnished to said Permittee or used in connection with the use and occupation of the Permit Area. All damages to persons or property due to the operations of the Permittee, or of any person in the employ or acting in the interest of or under the direction of the Permittee, are the responsibility of, and shall be paid by, the Permittee.

Specifically with regard to damage of City property by the permittee, permittee agrees to remit to the City full payment for damages no later than 60 days after receipt of a bill for repair. In the event of a dispute concerning payment for said damages, resolution shall be determined by the Chief Administrative Officer.

15. **EQUIPMENT AND TRADE FIXTURES**

All equipment and trade fixtures for the operations of the Permittee on the Permit Area shall be furnished, installed and maintained by Permittee at Permittee's own expense. Installation by Permittee of any permanent fixture is expressly prohibited.

16. **SIGNS**

Permittee hereby agrees that it will not erect or maintain, or permit to be erected or maintained, upon any part of the Permit Area, any signs without obtaining in advance the written approval of the Agricultural Commissioner, provided that Permittee may hang banners and place "sandwich board" signs listing market hours of operation.

17. **TAXES, ASSESSMENTS AND LIENS**

Permittee shall pay for and obtain all licenses and permits necessary for its operations on the Permit Area and shall pay all fees and taxes, including possessory interest taxes, and other charges lawfully assessed against it. Should Permittee desire to contest the legal validity of any such fees, taxes or other charges, the same may be paid under protest. Permittee agrees not to suffer any lien to be imposed upon the Permit Area or upon any equipment or personal property located thereon without promptly discharging the same.

In the event that the Permittee shall fail to pay all, license and permit fees necessary for the operation of its business within ten days after the due date, or shall fail to keep or perform any of the terms, conditions or stipulations hereof, the City shall be entitled to immediately cancel and terminate this Permit and remove all Farmers' Market operations from the Permit Area.

18. **COMPLIANCE WITH LAWS AND REPORTS**

Permittee agrees that the operation of the Farmers' Market on the Permit Area pursuant to this Permit will comply with all the laws, rules and regulations of the City and County of San Francisco, the State of California and the United States of America, and all agencies thereof.

19. **PERMIT NOT ASSIGNABLE**

The rights and privileges granted herein are not assignable.

20. **FORCE MAJEURE**

Should any matter or condition beyond the control of either party hereto, such as war, public emergency or calamity, fire, earthquake, flood, act of God, strike or other labor disturbance, or any governmental restriction, prevent performance of the terms and conditions of this Permit, this Permit together with the rights and privileges granted herein, shall be immediately terminated and City shall be under no legal obligation to Permittee by reason of said termination.

21. **DESTRUCTION OF PREMISES**

In the event of damage to or destruction of the Permit Area, or any part thereof, due to circumstances beyond the City's control, which renders the Permit Area unsuitable for Permittee's continued use, this Permit may be immediately terminated by either party and, in such event, City shall have no liability or other obligation to Permittee on account of such termination. City shall have no obligation to repair such damage or destruction but, if such repairs are made within 120 days after the damage or destruction occurs, the City, acting by and through the Agricultural Commissioner, shall reinstate this Permit if requested to do so by Permittee.

22. **CONFLICT OF INTEREST**

Permittee states it is familiar with the provisions of Section 8.105 of the Charter of the City and County of San Francisco and certifies that Permittee knows of no facts which constitute a violation of said section; Permittee further certifies that Permittee has made a complete disclosure to the City of all facts bearing upon any possible interest, direct or indirect, which Permittee believes any member of the City, or any other officer or employee of the City and County of San Francisco presently has or will have in this Permit or in the operation of the Farmers' Market thereunder or in any portion of the profits resulting therefrom. Willful false statements in such disclosure or failure to disclose known facts shall constitute grounds for immediate termination and cancellation of this Permit by City.

23. **INSURANCE**

The Permittee shall procure and maintain, at its sole expense, during the term of this Permit the following insurance:

a. Workers' Compensation, with Employers' Liability limits not less than $1,000,000 each accident;

b. Comprehensive General Liability insurance with limits not less than $1,000,000 each occurrence Combined Single Limit for Bodily Injury and Property Damage, including Contractual Liability, Personal Injury, Advertising Liability, Broadform Property Damage, Products and Completed Operations Coverage;

c. Comprehensive or Business Automobile Liability insurance with limits not less than $1,000,000 each occurrence Combined Single Limit for Bodily Injury and Property Damage, including owned, non-owned and hired auto coverage, as applicable;

Comprehensive General Liability and Comprehensive or Business Automobile Liability insurance policies shall be endorsed to provide the following:

1. To name as ADDITIONAL INSURED the City & County of San Francisco, its officers, agents, employees, and members of commissions.

2. That such policies are primary insurance to any other insurance available to the Additional Insured and that insurance applies separately to each insured against whom claim is made or suit is brought.

All policies shall be endorsed to provide for 30 days' advance written notice to City of cancellation, non-renewal or reduction in coverage, mailed to the address for City specified in Paragraph 34.

Certificates of insurance, in form and with insurers satisfactory to City, shall be furnished to the City prior to commencing any operations under this Permit and complete copies of policies shall be furnished to City upon request.

24. **UNEMPLOYMENT COMPENSATION**

Permittee will, upon request, furnish City with satisfactory evidence of provision for Social Security and Unemployment Compensation to the extent that such are applicable to Permittee's operations upon the Permit Area.

25. **WAIVER OF DAMAGE**

City shall not be liable to Permittee for any damage to Permittee or Permittee's property from any cause. Permittee waives all claims against City for damage to person or property arising for any reason, except from the sole negligence of the City, its agents or employees.

26. **NON-DISCRIMINATION CLAUSE**

Provisions of Chapter 12B, 12C and 12D of the San Francisco Administrative Code are attached hereto as Exhibit H and incorporated herein by this reference.

27. **STRICT PERFORMANCE**

Failure of City to insist upon strict performance of any of the terms, conditions and covenants herein, shall not be deemed a waiver of such terms, conditions or covenants or of any subsequent breach or default in performance of the said terms, conditions and covenants. It is expressly agreed that each term, condition and covenant herein to be performed or kept by Permittee is material and is a material consideration to the City for the award of this Permit and Permittee agrees that the breach by it of any one of the within terms, conditions or covenants shall be a material breach under this Permit.

28. **REMEDIES FOR DEFAULT BY PERMITTEE**

The occurrence of any of the following shall constitute a default by Permittee:

a. Failure to perform any provisions of this Permit, if such failure continues for seven days after written notice from the City of such failure to perform

b. Failure to remedy and correct any conduct or condition on or around the Permit Area which City deems to be objectionable or improper if such failure continues for 30 days after written notice from City of the existence of such conduct or condition.

If Permittee commits a default, City may immediately terminate this Permit upon giving written notice to Permittee of such termination. Upon termination of this Permit, all rights of Permittee hereunder shall terminate and City shall have the right to remove Permittee, its employees, agents and representatives, and its property from the Permit Area. City shall have no liability or other obligation to Permittee on account of any termination of this Permit by City.

29. **INTEGRATED AGREEMENT; MODIFICATION**

This Permit contains all the agreements of the parties and cannot be amended or modified except by a written agreement.

30. **DELIVERY OF POSSESSION BY PERMITTEE**

Permittee hereby agrees to yield and deliver to City at termination of this Permit possession of the Permit Area and of all fixtures and equipment of City located thereon in good condition and repair, except for reasonable wear and tear.

31. **INDEMNITY**

Permittee agrees to indemnify, to assume the defense of (if requested) and to hold harmless the City, its officers, agents and employees from every claim, loss, damage, injury, expense (including attorney's fees), judgment and direct or vicarious liability of every kind, nature, and description arising in whole or in part from the use of the Permit Area or operation of a Farmers' Market thereon, except where such claim, loss, damage, injury, expense, judgment or direct or vicarious liability is caused solely, exclusively and directly by the willful misconduct of City, or its officers, representatives, agents or employees.

Each party hereto shall give to the other prompt and timely written notice of any claim made or suit instituted within its knowledge that in any way, directly or indirectly, contingently or otherwise, affects or might affect the other party; and both the City and Permittee shall have the right to participate in the defense of any such suit to the extent of their own interest.

32. **INDEPENDENT CONTRACTOR**

Permittee shall use and occupy the Permit Area and operate a Farmers' Market thereon as an independent contractor and not as the agent or employee of City. Permittee has and hereby retains the right to exercise full control and supervision of the services and full control of employment, direction, compensation and discharge of all persons assisting in the operation of a Farmers' Market on the Permit Area. Permittee agrees to be solely responsible for all matters relating to payment of employees, including compliance with Social Security, tax withholding and other laws and regulations governing such matters. Permittee agrees to be solely responsible for its own acts and those of its subordinates and employees while this Permit is in effect.

33. **WRITTEN NOTICE**

All notices required to be given between City and Permittee shall be in writing and shall be sent by certified mail as follows:

a. If to Permittee, addressed to:

Heart of the City Farmers' Market
1182 Market Street, #415
San Francisco, CA 94102

b. If to City, addressed to:

Agricultural/Sealer
Agriculture - Weights & Measures
City and County of San Francisco
501 Army Street, Room 109A
San Francisco, CA 94124

34. **PERMIT MADE IN CALIFORNIA**

This Permit is executed in and shall be construed in accordance with the laws of the State of California.

35. **DIVESTMENT**

The parties acknowledge that Permittee has submitted an Affidavit as required under City and County's South African Divestment Ordinance, Chap. 10, Article XIX, of the San Francisco Administrative Code.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.

APPROVED:

CITY & COUNTY OF SAN FRANCISCO
a municipal corporation

Agricultural Commissioner/Sealer

Mayor

Chief Administrative Officer

Clerk of the Board of Supervisors

Director of Property

PERMITTEE:

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By
Deputy City Attorney

Title

APPROVED AS TO INSURANCE REQUIREMENTS:

Date

Risk Manager

A:\3UNPL.DOC
C:\WP51\DATA\RB\PA\3UNPL.DOC

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
September 13, 1993	$	September 20, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kennedy Leal Maher Migden Shelley	$	Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kennedy Leal Maher Migden Shelley
	$	
Absent: Supervisor Kaufman	$	Absent: Supervisors Alioto Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
10-93-4

OCT 15 1993
Date Approved

Mayor

October 4, 1993

I hereby certify that the foregoing ordinance, not being signed by the Mayor within the time limitation as set forth in Section 2.302 of the Charter, becomes effective without his signature in accordance with the provisions of said Section 2.302 of the Charter.

John Taylor
Clerk of the Board

File No. 10-93-4

FILE NO. 90-93-2 ORDINANCE NO. 312-93

(Landmarks)

DESIGNATING THE OUR LADY OF GUADALUPE CHURCH AS A LANDMARK PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the Our Lady of Guadalupe Church at 906 Broadway, Lot 9 within Assessor's Block 149, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a Landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation: Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, Our Lady of Guadalupe Church is hereby designated as Landmark No. 204, this designation having been fully approved by Resolution No. 13516 of the City Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 90-93-2 and is incorporated herein and made a part hereof as though fully set forth.

(b) Required Data:

(1) The description of the location and boundaries of the Landmark site is 906 Broadway, Lot 9 within Assessor's Block 149.

(2) The characteristics of the Landmark which justify its designation are described and shown in the photographs and other materials on file in the Department of City Planning Docket No. 92.659L and the Landmarks Preservation Advisory Board's Case Report contained in Docket No. 92.659L.

(3) The particular features that should be preserved are those shown in the photographs on file in Department of City Planning Docket No. 92.659L and described in the Landmarks Preservation Advisory Board's Case Report, in Section A, entitled "Architecture," Subsection No. 5, "Design" and in Section D, "Integrity," Subsection No. 13 "Alterations," said photographs and Case Report are incorporated in this designating ordinance as though fully set forth.

APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY

By _____
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By _____
Lu Blazej
Director of Planning

SUPERVISOR ALIOTO

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
September 27, 1993	$	October 4, 1993
	$	
	$	
Ayes: Supervisors Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	$	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
	$	
	$	
Absent: Supervisors Alioto Conroy	$	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
90-93-2

OCT 15 1993
Date Approved

Frank M. Jordan
Mayor

[Official Newspapers]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER 2, ARTICLE IX, SECTION 2.81 THEREOF TO REQUIRE ANY BIDDERS FOR THE CITY'S OFFICIAL ADVERTISING CONTRACT TO CERTIFY IN WRITING THAT NEWSPAPERS WILL BE DELIVERED UPON REQUEST.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors (the "Board") hereby makes the following findings:

A. The Board has received evidence that it is the practice of certain newspapers to not provide delivery service to certain areas of the City and County of San Francisco.

B. Charter Section 10.100 and Administrative Code Section 2.80 et seq. are intended to ensure that the City's official advertising receive the widest dissemination possible and any restrictions on deliveries therefore frustrates that intent.

C. It is in the best interests of the health, safety and welfare of the citizens of San Francisco that any newspaper publishing the City's official advertising receive the widest dissemination possible and be available to any citizen of San Francisco who requests the same.

Section 2. Chapter 2 of the San Francisco Administrative

Code is hereby amended by amending Sections 2.81 thereof to read as follows:

SEC. 2.81. OFFICIAL NEWSPAPER(S) - DESIGNATION. In each year, the Board of Supervisors shall designate the official newspaper or newspapers of the City and County as herein below set forth.

On or before the first day of June in each year, the Purchaser shall prepare a notice inviting sealed proposals for: (1) the publication of all official advertising of the City and County which is required to be published on two or more consecutive days, and all official advertising of the City and County which is required to be published in accordance with the provisions of Sections 2.200 or 2.201 of the Charter for special meetings of the Board of Supervisors and its standing or special committees; and (2) the publication of all official advertising of the City and County, which is required by law to be published one time, other than the provisions of Sections 2.200 or 2.201 of the Charter as they relate to special meetings of the Board of Supervisors and its standing or special committees; and all official advertising of the City and County which is required by law to be published more than one time, but not more than three times a week for a specified number of weeks. As part of the proposal process, the Purchaser shall require any person, firm or corporation responding to said proposal to provide a declaration under penalty of perjury from a person authorized to issue such

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documents, on a form prescribed by the Purchaser, certifying that said person, firm or corporation will, during the term of the contract, provide delivery of newspapers to any individual or business entity in the City and County of San Francisco who requests the same, in a manner and on such terms as are available generally to other customers of the bidder. Said notices shall be published once in the appropriate official newspaper of the City and County. At least five days shall intervene between the date of publication and the time for filing such sealed proposals. The purchaser shall, not less than 10 days after the date of publication of said notices, report to the Board of Supervisors the amount of any and all sealed proposals received by him or her, and shall let a contract or contracts for the ensuing fiscal year to the lowest reliable and responsible bidder in each category set forth hereinabove. Thereupon the Board of Supervisors shall, by resolution, designate said newspaper or newspapers as the official newspaper or newspapers of the City and County for said fiscal year.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
JOHN J. PIZZA
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
Absent: Supervisors Alioto Maher	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-93-46

OCT 15 1993
Date Approved

Mayor

As amended in committee

FILE NO. 101-93-8 ORDINANCE NO. 314-93

(Government Funding) RO#93059
SA#20

kg 9/22/93

APPROPRIATING ~~$195,493~~ 136,311 FOR PERMANENT SALARIES, MANDATORY FRINGE BENEFITS, AND EQUIPMENT, FOR THE CREATION OF TWO (2) POSITIONS, FOR MUNICIPAL COURT AND SUPERIOR COURT FOR FISCAL YEAR 1993-1994.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-94 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	AMOUNT Debit	AMOUNT Credit
02-503	STATE AUTHORIZED SPECIAL REVENUE FUND		
11-00-00	MUNICIPAL COURT		
GL 401 (059113)	STATE AUTOMATION - MUNI. COURT	~~$195,493~~ 136,311	
Project 707-00	COURT AUTOMATION - MUNICIPAL COURT		
01-0010 (316273)	PERMANENT SALARIES		~~$71,436~~ 44,887
04-0600	FRINGE BENEFITS		~~$15,716~~ 9,875
10-00-00	SUPERIOR COURT		
Project 808-00	COURT AUTOMATION - SUPERIOR CT.		
01-0010 (317065)	PERMANENT SALARIES		~~$59,091~~ 37,130
04-0600	FRINGE BENEFITS		~~$13,000~~ 8,169
22-2200	EQUIPMENT		$36,250
	TOTAL	~~$195,493~~ 136,311	~~$195,493~~ 136,311

kg 9/22

BOARD OF SUPERVISORS

Section 2. Funds are hereby appropriated for the creation of (1) position for the Municipal Court and one (1) position for the Superior Court, by amendment to the Annual Salary Ordinance, Board of Supervisors File # 102-93-7 as follows:

CLASS	TITLE	RATE	CREATED
11-00-00	MUNICIPAL COURT		
0243 N	APPLICATIONS PROGRAMMER	5953M7273	1
10-00-00	SUPERIOR COURT		
0595 N	FISCAL SYSTEMS & SERVICES COORDINATOR	2264B2621	1
	TOTAL		2

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

CIVIL SERVICE COMMISSION

BY [signature]
GENERAL MANAGER, PERSONNEL

FUNDS AVAILABLE:

[signature]
CONTROLLER

SEP 08 1993

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BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
Noes: Supervisor Maher	
Absent: Supervisor Alioto	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-8

OCT 15 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 102-93-7 ORDINANCE NO. 315-93

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 5

AMENDING ORDINANCE NO. 242-93 (ANNUAL SALARY ORDINANCE, 1993-94) REFLECTING THE ADDITION OF ONE POSITION IN THE MUNICIPAL COURT AND THE ADDITION OF ONE POSITION IN THE SUPERIOR COURT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 242-93 (Annual Salary Ordinance, 1993-94) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Department: 10	Superior Court	
		Division: 00	Superior Court	
		Section: 00	Superior Court	
		Program: 0000	No Program Defined	
		Fund: 02503	State Authorized Special Revenue Fund	
		Index: 317065	Superior Court Automation	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Misc.	
1 added	1	0595 M	Fiscal Systems & Services Coordinator..	$2264B2621
		Department: 11	Municipal Court	
		Division: 00	Municipal Court	
		Section: 00	Municipal Court	
		Program: 0000	No Program Defined	
		Fund: 02503	State Authorized Special Revenue Fund	
		Index: 316273	Municipal Court Automation	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Misc.	
1 added	1	0243 M	Traffic Systems Programmer.....	$2737B3344

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

Wendell Brown
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

6841C

No. 5

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
Noes: Supervisor Maher	
Absent: Supervisor Alioto	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 102-93-7

OCT 15 1993
Date Approved

Frank M. Jordan
Mayor

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FILE NO.

APPROVING MODIFICATION NO. 3 OF LEASE AND USE AGREEMENT BETWEEN CONTINENTAL AIRLINES, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1: Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves Modification No. 3 of the Lease and Use Agreement between Continental Airlines, Inc., and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modification are contained in Board of Supervisors' file number 27-93-18.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

Airports Commission

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
Absent: Supervisor Alioto	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
27-93-18

OCT 15 1993
Date Approved

Mayor

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FILE NO. 45-93-59 ORDINANCE NO. 317-93

RO#93043

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ELIAS TSIKNIS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $7,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ELIAS TSIKNIS v. CITY AND COUNTY OF SAN FRANCISCO, et al.,"Municipal Court No. 050-004, by the payment of $7,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOHN E. CRIBBS
Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01-001 97-07-70
309 L74 1450 $7,000.00

AUG 25 1993

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

8883n

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
Absent: Supervisor Alioto	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-59

OCT 15 1993
Date Approved

Mayor

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FILE NO. 45-93-60 ORDINANCE NO. 318-93

RO #93051

(Settlement of Litigation)

APPROVING THE SETTLEMENT OF LITIGATION OF RESOLUTION TRUST CORPORATION, AS RECEIVER FOR GATEWAY FEDERAL SAVINGS BANK, IN THE SUM OF $21,378.00 (CONSISTING OF $17,033.00 IN TAX REFUNDS AND $4,345.00 IN INTEREST) TO BE PAID IN TEN EQUAL ANNUAL INSTALLMENTS AT 7% PER ANNUM IN INTEREST OVER THE TEN-YEAR PERIOD.

Be it ordained by the People of the City and County of San Francisco:

Section. The City Attorney is hereby authorized to settle the action entitled Resolution Trust Corporation, as Receiver for Gateway Federal Savings Bank v. CCSF, Superior Court No. 943-206, for refund of business taxes by the payment of $21,378.00 (consisting of $17,033.00 in tax refunds and $4,345.00 in interest) to be paid in ten equal annual installments at 7% per annum in interest over the ten-year period.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

TAX COLLECTOR

THAD BROWN
Tax Collector

FUNDS AVAILABLE:

01 001 97 09 08
310441 1450 $21,378.00

EDWARD M. HARRINGTON
Controller

AUG 25 1993

5743w

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
Absent: Supervisor Alioto	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-60

OCT 15 1993
Date Approved

Mayor

DOCUMENTS DEPT.
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 45-93-61

ORDINANCE NO. 319-93

RO #93052

(Settlement of Litigation)

APPROVING THE SETTLEMENT OF LITIGATION OF RESOLUTION TRUST CORPORATION, AS RECEIVER FOR ATLANTIC FINANCIAL SAVINGS BANK, IN THE SUM OF $197,959.48 (CONSISTING OF $181,429.33 IN TAX REFUNDS AND $16,530.04 IN INTEREST) TO BE PAID IN TEN EQUAL ANNUAL INSTALLMENTS AT 7% PER ANNUM IN INTEREST OVER THE TEN-YEAR PERIOD.

Be it ordained by the People of the City and County of San Francisco:

Section. The City Attorney is hereby authorized to settle the action entitled Resolution Trust Corporation, as Receiver for Atlantic Financial Bank v. CCSF, Superior Court No. 943-209, for refund of business taxes by the payment of $197,959.48 (consisting of $181,429.33 in tax refunds and $16,530.04 in interest) to be paid in ten equal annual installments at 7% per annum in interest over the ten-year period.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

TAX COLLECTOR

THAD BROWN
Tax Collector

FUNDS AVAILABLE:

01 001 97 09 08
310441 1450 $197,959.48

EDWARD M. HARRINGTON
Controller

AUG 25 1993

5772w

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
Absent: Supervisor Alioto	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-61

OCT 15 1993
Date Approved

Mayor

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NOV 9 1993
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PUBLIC LIBRARY

FILE NO. 45-93-62 ORDINANCE NO. 330-93

RO #93053

(Settlement of Litigation)

APPROVING THE SETTLEMENT OF LITIGATION OF RESOLUTION TRUST CORPORATION, AS RECEIVER FOR TIME FEDERAL SAVINGS & LOAN ASSOCIATION, IN THE SUM OF $120,158.71 (CONSISTING OF $94,716.82 IN TAX REFUNDS AND $25,441.89 IN INTEREST) TO BE PAID IN TEN EQUAL ANNUAL INSTALLMENTS AT 7% PER ANNUM IN INTEREST OVER THE TEN-YEAR PERIOD.

Be it ordained by the People of the City and County of San Francisco:

Section. The City Attorney is hereby authorized to settle the action entitled Resolution Trust Corporation, as Receiver for Time Federal Savings & Loan Association v. CCSF, Superior Court No. 943-207, for refund of business taxes by the payment of $120,158.71 (consisting of $94,716.82 in tax refunds and $25,441.89 in interest) to be paid in ten equal annual installments at 7% per annum in interest over the ten-year period.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

TAX COLLECTOR

THAD BROWN
Tax Collector

FUNDS AVAILABLE:

01 001 97 09 08
310441 1450 $120,158.71

EDWARD M. HARRINGTON
Controller

AUG 25 1993

BOARD OF SUPERVISORS

5756w

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
Absent: Supervisor Alioto	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-62

OCT 15 1993

Date Approved

Mayor

DOCUMENTS DEPT.
OCT 2 1993
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 45-93-63 ORDINANCE NO. 321-93

RO #93054

(Settlement of Litigation)

APPROVING THE SETTLEMENT OF LITIGATION OF RESOLUTION TRUST CORPORATION, AS RECEIVER FOR IMPERIAL FEDERAL SAVINGS ASSOCIATION, IN THE SUM OF $666,190.42 (CONSISTING OF $532,388.93 IN TAX REFUNDS AND $133,801.49 IN INTEREST) TO BE PAID IN TEN EQUAL ANNUAL INSTALLMENTS AT 7% PER ANNUM IN INTEREST OVER THE TEN-YEAR PERIOD.

Be it ordained by the People of the City and County of San Francisco:

Section. The City Attorney is hereby authorized to settle the action entitled Resolution Trust Corporation, as Receiver for Imperial Federal Savings Association v. CCSF, Superior Court No. 943-208, for refund of business taxes by the payment of $666,190.42 (consisting of $532,388.93 in tax refunds and $133,801.49 in interest) to be paid in ten equal annual installments at 7% per annum in interest over the ten-year period.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

TAX COLLECTOR

THAD BROWN
Tax Collector

FUNDS AVAILABLE:

01 001 97 09 08
310441 1450 $666,190.42

EDWARD M. HARRINGTON
Controller

AUG 25 1993

5760w

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
Absent: Supervisor Alioto	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-63

OCT 15 1993
Date Approved

Mayor

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FILE NO. 45-93-64 ORDINANCE NO. 322-93

RO #93055

(Settlement of Litigation)

APPROVING THE SETTLEMENT OF LITIGATION OF RESOLUTION TRUST CORPORATION, AS RECEIVER FOR PACIFIC COAST FEDERAL SAVINGS ASSOCIATION, IN THE SUM OF $131,795.31 (CONSISTING OF $92,872.07 IN TAX REFUNDS AND $38,923.24 IN INTEREST) TO BE PAID IN TEN EQUAL ANNUAL INSTALLMENTS AT 7% PER ANNUM IN INTEREST OVER THE TEN-YEAR PERIOD.

Be it ordained by the People of the City and County of San Francisco:

Section. The City Attorney is hereby authorized to settle the action entitled Resolution Trust Corporation, as Receiver for Pacific Coast Federal Savings Association v. CCSF, Superior Court No. 943-205, for refund of business taxes by the payment of $131,795.31 (consisting of $92,872.07 in tax refunds and $38,923.24 in interest) to be paid in ten equal annual installments at 7% per annum in interest over the ten-year period.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

TAX COLLECTOR

THAD BROWN
Tax Collector

FUNDS AVAILABLE:

01 001 97 09 08
310441 1450 $131,795.31

EDWARD M. HARRINGTON
Controller

AUG 25 1993

BOARD OF SUPERVISORS

5752w

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
Absent: Supervisor Alioto	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-64

OCT 15 1993
Date Approved

Mayor

FILE NO. 45-93-65 ORDINANCE NO. 323-93

RO #93060

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ANGELO LARMEY, ET AL. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $11,543.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Angelo Larmey, et al. v. City and County of San Francisco," San Francisco Superior Court No. 925-368, by the payment of $11,543.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO FIRE DEPARTMENT

JOSEPH MEDINA
Chief

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 31
309773 1450 $11,543.00 SEP 01 1993

APPROVED:

SAN FRANCISCO FIRE COMMISSION

Secretary

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

September 27, 1993

Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Absent: Supervisor Alioto

Finally Passed

October 4, 1993

Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley

Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-65

OCT 15 1993
Date Approved

Mayor

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FILE NO. 127-93-20 ORDINANCE NO. 324-93

[Utility Users Tax]

AMENDING PART III OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTION 701 TO DEFINE "STEAM CORPORATION" AND AMENDING SECTION 705(d) TO EXEMPT FROM THE GAS USERS TAX STEAM CORPORATIONS USING GAS TO GENERATE STEAM.

NOTE: Additions are underlined; deletions are in ((double parentheses))

Section 1. Sections 701 and 705 of the Part III of the San Francisco Municipal Code are hereby amended to read as follows:

SEC. 701. DEFINITIONS. As used in this Article, the following words shall have the meaning ascribed to them in this Section, except as and if the context clearly indicates or requires a different meaning;

(a) "Person" shall mean all natural persons, municipal corporations, domestic and foreign corporations, associations, syndicates, joint stock companies, partnerships of every kind, joint ventures, clubs, Massachusetts business or common law trust and societies.

(b) "Month" shall mean a calendar month.

(c) "Service User" shall mean a person required to pay a tax imposed under the provisions of this Article.

(d) "Service Supplier" shall mean any person required to collect a tax imposed under the provisions of this Article.

(e) "Tax Collector" shall mean the Tax Collector for the City and County of San Francisco.

(f) "City and County" shall mean the City and County of San Francisco.

(g) "Electrical corporation,""gas corporation," and "telephone corporation" shall have the same meanings as defined in Sections 218, 222 and 234, respectively, of the Public Utilities Code of the State of California.

(h) "Steam Corporation" shall mean and include every "heat corporation," as defined in Section 224 of the Public Utilities Code of the State of California, using steam to deliver heat.

(i) "Water Corporation" shall mean and include every corporation or person including the City and County owning, controlling, operating or managing any water system for compensation within the State of California.

(j) "Controller" shall mean the Controller of the City and County of San Francisco.

SEC. 705. GAS USERS TAX.

(a) There is hereby imposed a tax upon every person, other than a gas corporation or an electrical corporation, using gas which is delivered through mains or pipes in the City and County by a gas corporation. The tax imposed by this Section shall be at the rate of five percent of the charges made for such gas, including minimum charges for services, and shall be paid by the person paying for such gas, Provided, however, that after January 1, 1983, the tax shall not be applicable to charges for gas billed to residential

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customers only. Provided further, however, that after January 1, 1984 and each subsequent year, the utility users tax shall continue to be inapplicable to charges for gas billed to residential customers only if the Board of Supervisors, no later than the September 15th immediately preceding the ensuing January 1st, by resolution so provides.

(b) The Board of Supervisors hereby rescinds Resolution No. 795-86, which had suspended, for the year commencing January 1, 1987 and ending December 31, 1987, the levy of the utility users tax imposed by this Section on charges, except those exempted under Section 707, for gas billed to residential customers. The utility users tax imposed by this Section shall be levied on all charges for gas on bills rendered on or after the effective date of the ordinance adding this subsection.

(c) As used in this Section, the word "charges" shall not include charges made for gas used in the generation of electrical energy by a public utility or a governmental agency.

(d) As used in this Section, the words "using gas" shall not be construed to mean the receiving of such gas by a gas corporation or governmental agency at a point within the City and County for resale and delivery through pipes and mains or gas used by a water corporation to pump water or gas used by a steam corporation to generate steam.

(e) As used in this Section, the words "residential customers" shall mean and include:

1. Every person who is charged for gas based upon residential and/or domestic rate schedules filed with the California Public Utilities Commission by a gas corporation; and

2. Any residential hotel where at least 50 percent of the guest units in the residential hotel are leased for a minimum period of one month and are occupied for nine months of the year.

(f) The tax imposed in this Section shall be collected from the service user by the person selling the gas. The amount collected in one month shall be remitted to the Tax Collector on or before the last day of the following month.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
September 27, 1993	§	October 4, 1993
	§	
	§	
Ayes: Supervisors Bierman Conroy	§	Ayes: Supervisors Alioto Conroy
Hallinan Hsieh Kaufman Kennedy	§	Hallinan Kaufman Leal Migden
Leal Maher Migden Shelley	§	Shelley
	§	
Absent: Supervisor Alioto	§	Absent: Supervisors Bierman Hsieh
	§	Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
127-93-20

OCT 15 1993
Date Approved

Frank M. Jordan
Mayor

[Acceptance of Gifts]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.110 THEREOF RELATING TO THE ACCEPTANCE OF GIFTS ON BEHALF OF SAN FRANCISCO GENERAL AND LAGUNA HONDA HOSPITALS, TO AUTHORIZE THE DEPARTMENT OF PUBLIC HEALTH TO ACCEPT ALL GIFTS, DONATIONS AND CONTRIBUTIONS OF MONEY OR PERSONAL PROPERTY OF LESS THAN $25,000, INSTEAD OF THE PREVIOUS MAXIMUM AMOUNT OF $5,000.

mlr 9/22

Note: Additions are underlined; deletions are indicated by ((double parenthesis)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Section 10.110 of the San Francisco Administrative Code is hereby amended as follows:

SEC.10.110. DEPARTMENT OF PUBLIC HEALTH ((SAN FRANCISCO GENERAL HOSPITAL; LAGUNA HONDA HOSPITAL)); ACCEPTANCE OF GIFTS, SPECIAL FUNDS CREATED.

All gifts, donations and contributions of money or personal property of less than $25,000 (($5,000)) in value or amount, ~~such amount to be increased by five percent (5%) each fiscal year beginning July 1, 1994~~, which may from time to time be received by the City and County through the Health Commission to be used for the general benefit and comfort of patients of the Department of Public Health ((either the San Francisco General Hospital or the Laguna Honda Hospital)) without expense other than what may be necessary for proper maintenance, are hereby accepted exclusively for such purposes.

/ / /

mlr 9/22

All cash received and accepted hereunder for the general benefit and comfort of patients of the San Francisco General Hospital shall be deposited in the treasury of the City and County in a special fund to be known as the "San Francisco General Hospital Gift Fund", a public trust; ((, and)) all cash received and accepted hereunder, for the general benefit and comfort of patients of the Laguna Honda Hospital, shall be deposited in the treasury of the City and County in a special fund to be known as the "Laguna Honda Hospital Gift Fund," a public trust;((.)) and all cash received and accepted hereunder for the general benefit and comfort of patients of any other division of the Department of Public Health shall be deposited in the treasury of the City and County in any appropriate special fund established for such purposes. All expenditures from any ((either)) of said funds shall be made for the purposes for which received and in accordance with the budget and fiscal provisions of the Charter.

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As to all other forms of gifts or contributions received and accepted hereunder, the Health Commission shall promptly give written notice thereof to the Purchaser of Supplies who shall inventory the same and provide the Controller with a copy of such inventory.

mlr 9/22

The Department of Public Health shall, on an annual basis, within the first two weeks of July, report in writing to the Board of Supervisors a listing of all gifts, donations and contributions of money or personal property of less than $25,000 in value or amount. The report shall list the nature, amount and disposition of these gifts, donations and contributions.

By: Paula Jesson
Deputy City Attorney

Florence Stroud
Director of Health

APPROVED:

Sandy Ouyel Mori
Health Commission

2349H/mm

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
Absent: Supervisors Alioto Maher	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-93-48

OCT 15 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 36-93-3 ORDINANCE NO. 326-93

[Zoning Map Change]

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT 1084-86 HURON STREET, LOTS 15, 16, & 17, ASSESSOR'S BLOCK 7145 FROM AN RH-2 DISTRICT TO AN NC-2 NEIGHBORHOOD COMMERCIAL DISTRICT AND ADOPTING FINDING PURSUANT TO PLANNING CODE SECTION 101.1.

Be is ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to resolution of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission is hereby adopted as an amendment to the Zoning Map of the City City and County of San Francisco.

Description of Property	Use District to be Superseded	Use District Hereby Approved
Beginning at a point on the northerly line of Huron Avenue, distant thereon 405 feet westerly from the westerly line of Sickle Avenue, running thence westerly along said northerly line of Huron Avenue 20 feet; thence at a 160° angle along the northerly line of Mission Street 37.11 feet; thence at a right angle northerly 95.05 feet; thence at a right angle easterly 5 feet; thence at a right angle southerly 3.5 feet; thence at a right angle easterly 50 feet; thence at a right angle southerly 103.5 feet to the point of beginning; [illegible] of lots 15, 16, & 17 in Assessor's Block 7145 and adjacent street areas to their centerline as designated to Section Map No. 7145 of the Zoning Map.	RH-2 (House, Two Family District)	NC-2 (Small Scale) Neighborhood Commercial District

Section 2. Pursuant to Planning Code Section 101.1, this Board of Supervisors adopts City Planning Commission Resolution No. 13529 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By Judith A. Boyajian
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By L. R. Blazej
Lucian Blazej
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
September 27, 1993	$	October 4, 1993
	$	
	$	
Ayes: Supervisors Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	$	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
	$	
Absent: Supervisors Alioto Conroy	$	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
36-93-3

OCT 15 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-93-9

(Government Funding)

Budget
ORDINANCE NO. 327-93

RO# 93045
SA#13

APPROPRIATING $1,296,417 FOR PERMANENT SALARIES MISCELLANEOUS AND RETROACTIVE AND RELATED MANDATORY FRINGE BENEFITS FOR AIRPORT COMMISSION AND ADJUSTING PAY RATES FOR AIRPORT POLICE OFFICER CLASSIFICATIONS FOR FISCAL YEAR 1993-1994, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
30 - 001	**AIRPORT OPERATING FUND**		
27-00-00	AIRPORT OPERATIONS		
GL301 (022012)	Unreserved Fund Balance	$1,296,417	
27-03-36	AIRPORT POLICE OPERATION		
01-0010 (574178)	Permanent Salaries - Miscellaneous		$397,059
05-0176	Retroactive Salaries		$561,268
01-0180	Other Personal Services		$96,704
04-0601	Non-City Retirement		$126,906
04-0630	Dental Coverage		$114,480
		$1,296,417	$1,296,417

Section 2. Funds are hereby appropriated for the Airport Commission, to adjust payrates for airport police officer classifications, by amendment to the Annual Salary Ordinance, Board of Supervisors File No. 102-93-6 as follows:

CLASS	TITLE	OLD RATE	NEW RATE
9210 A	Airport Police Officer	1349B1634	1573B1909
9211 A	Airport Police Sergeant	1565B1899	1827B2221
9215 A	Airport Police Lieutenant	1791B2178	2094B2545
9215 S	Airport Police Lieutenant	1791B2178	2094B2545
9216 A	Airport Police Captain	2053B2496	2401B2918
9216 S	Airport Police Captain	2053B2496	2401B2918
9217 A	Deputy Chief, Bureau of Airport Police	2287B2779	2672B3248
9218 A	Chief, Bureau of Airport Police	2935B2935	3428B3428

SECTION 3. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM
LOUISE H. RENNE CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

CIVIL SERVICE COMMISSION

BY: Wendell Brown
GENERAL MANAGER, PERSONNEL

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BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
September 27, 1993	§	October 4, 1993
	§	
	§	
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	§	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
	§	
Absent: Supervisor Alioto	§	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-9

OCT 15 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 102-93-6 ORDINANCE NO. 328-93

SALARIES AND WAGES SAL. ORD. AMEND. NO. 4

AMENDING ORDINANCE NO. 242-93 (ANNUAL SALARY ORDINANCE, 1993-94) TO PROVIDE A SALARY INCREASE FOR AIRPORT POLICE OFFICER CLASSIFICATIONS EFFECTIVE JULY 1, 1993.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated sections and items of Ordinance No. 242-93 (Annual Salary Ordinance, 1993-94) are hereby amended so that the same shall read as follows:

NO. OF POS.		CLASS AND ITEM NO.			CLASS TITLE	COMPENSATION SCHEDULE
		Department		27	Airport	
		Division		99	Airport Costs	
		Section		00	Airport Costs	
		Program		2405	Airport Operation & Maintenance	
		Fund		30001	Airport Operating Fund	
		Index		570416	Airport Costs	
		Proj/Phase		000/00	Unassigned Title	
		Object		001	Permanent Salaries-Miscellaneous	
126	abolished	0	9210	A	Airport Police Officer.....	$1349 B 1634
126	added	126	9210	A	Airport Police Officer.....	1573 B 1909
22	abolished	0	9211	A	Airport Police Sergeant.....	1565 B 1899
22	added	22	9211	A	Airport Police Sergeant.....	1827 B 2221
9	abolished	0	9215	A	Airport Police Lieutenant.....	1791 B 2178
9	added	9	9215	A	Airport Police Lieutenant.....	2094 B 2545
1	abolished	0	9215	S	Airport Police Lieutenant.....SC..	1791 B 2178
1	added	1	9215	S	Airport Police Lieutenant.....SC..	2094 B 2545
3	abolished	0	9216	A	Airport Police Captain.....	2053 B 2496
3	added	3	9216	A	Airport Police Captain.....	2401 B 2918
1	abolished	0	9216	S	Airport Police Captain.....SC..	2053 B 2496
1	added	1	9216	S	Airport Police Captain.....SC..	2401 B 2918
1	abolished	0	9217	A	Deputy Chief, Bur. of Airport Police.	2287 B 2779
1	added	1	9217	A	Deputy Chief, Bur. of Airport Police.	2672 B 3248
1	abolished	0	9218	A	Chief, Bureau of Airport Police.....	2935 B 2935
1	added	1	9218	A	Chief, Bureau of Airport Police.....	3428 B 3428

Section 2. This Ordinance shall be effective July 1, 1993.

APPROVED AS TO CLASSIFICATION
CIVIL SERVICE COMMISSION

Wendell Pryor
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

0111r

BOARD OF SUPERVISORS

DOCUMENTS DEPT.
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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
September 27, 1993	§	October 4, 1993
	§	
	§	
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	§	Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley
	§	
Absent: Supervisor Alioto	§	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
102-93-6

OCT 15 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 106-93-8 ORDINANCE NO. 329-93

(Compensation)

AN ORDINANCE IMPLEMENTING THE COMPENSATION PROVISIONS OF THE AGREEMENT BETWEEN THE INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS, LOCAL 21 AND THE CITY AND COUNTY OF SAN FRANCISCO PURSUANT TO CHARTER SECTION 8.409-1 ET. SEQ. EFFECTIVE JULY 1, 1993.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The board of supervisors hereby adopts the rates of compensation set forth in the Memoranda of Understanding between the International Federation of Professional and Technical Engineers Local 21 and the City and County of San Francisco pursuant to Charter section 8.409-1 et. seq., which were awarded by the arbitrator on ~~June~~ May 25, 1993 such rates of compensation to be effective July 1, 1993. The rates of compensation so enacted are on file in the office of the board of supervisors.

mlr 9/22

APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

95091

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
September 27, 1993	October 4, 1993
Ayes: Supervisors Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Hallinan Kaufman Leal Migden Shelley
Noes: Supervisor Conroy	Noes: Supervisor Conroy
Absent: Supervisor Alioto	Absent: Supervisors Bierman Hsieh Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 106-93-8

OCT 15 1993
Date Approved

Frank M. Jordan
Mayor

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[Garbage/Litter Receptacles]

AMENDING THE SAN FRANCISCO HEALTH CODE BY DELETING SECTION 282 OF ARTICLE 6; AMENDING THE SAN FRANCISCO PUBLIC WORKS CODE BY ADDING A NEW SECTION 170, WHICH WILL REPLACE SECTION 282 OF THE PUBLIC HEALTH CODE AND WILL PROHIBIT THE PLACEMENT OF GARBAGE RECEPTACLES ON ANY STREET, SIDEWALK OR ANY OTHER DEDICATED PUBLIC RIGHT-OF-WAY EXCEPT ON CERTAIN DAYS AND AFTER 6:00 P.M. ON THE DAY BEFORE COLLECTION, AND PROVIDING THAT VIOLATIONS OF SECTION 170 SHALL BE CONSIDERED INFRACTIONS; AMENDING AND RENUMBERING THE PREVIOUS SECTION 170 OF THE PUBLIC WORKS CODE TO BE A NEW SECTION 170.1; AND AMENDING SECTION 171 OF THE PUBLIC WORKS CODE TO REQUIRE THAT ANY GARBAGE RECEPTACLE PLACED ON THE PUBLIC RIGHT-OF-WAY HAVE PROMINENTLY PLACED UPON IT A DECAL BEARING THE SCHEDULED DAYS AND TIMES FOR COLLECTION.

Note: Additions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Public Health Code, Article 6, is hereby amended by deleting Section 282:

((Sec. 282. GARBAGE RECEPTACLES ON SIDEWALK PROHIBITED. Except as otherwise provided in Section 170, Chapter X, Part II, San Francisco Municipal Code (Public Works Code), no person, firm or

corporation occupying or having charge or control of any premises shall place or cause to be placed, or suffer to remain, upon the sidewalk, in front of such premises any can, container or receptacle used for the collection of garbage, refuse, ashes, cinder, sludge, offal, broken glass, crockery, tins,boxes, animal or vegetable matter, rubbish or other like matter, except on the day the contents of said receptacle are to be collected by the licensed collector thereof or after the hour of 6:00pm of the day immediately prior to the day of said collection; provided further, that any person, firm or corporation occupying or having charge of any commercial premises shall remove any such receptacle from the sidewalk, in front of said commercial premises immediately after the contents of said receptacle have been collected or immediately upon opening said premises for business on the day of said collection.))

Section 2. The San Francisco Public Works Code, Article 5.1, is hereby amended by adding a new Section 170 therein to read as follows:

<u>Sec. 170 GARBAGE RECEPTACLES. (a) GARBAGE RECEPTACLES PROHIBITED ON SIDEWALK, STREET, OR ANY PUBLIC RIGHT-OF-WAY. Except as otherwise provided in the Section 170.1, Chapter X, Part II, San Francisco Municipal Code (Public Works Code), no person, firm or corporation occupying or having charge or control of any premises shall place or cause to be placed, or suffer to remain, upon the sidewalk, street or any other dedicated public right-of-way, any</u>

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can, container or receptacle used for the collection of garbage, refuse, ashes, cinder, sludge, offal, broken glass, crockery, tins, boxes, animal or vegetable matter, rubbish or other like matter, except on the day the contents of said receptacle are to be collected by the licensed collector thereof or after the hour of 6:00 p.m. of the day immediately prior to the day of said collection; provided further, that any person, firm or corporation occupying or having charge of any commercial premises shall remove any such receptacle from the sidewalk, street or other dedicated public right-of-way immediately after the contents of said receptacle have been collected or immediately upon opening said premises for business on the day of said collection.

(b) Violation of this Section shall constitute an infraction and shall be punishable by a fine of not less than $25 nor more than $500.

Section 3. The San Francisco Public Works Code,Article 5.1, is hereby amended by renumbering and amending the previous Section 170 to be a new Section 170.1 to read as follows:

SEC. 170.1 ANTI-LITTER RECEPTACLES PERMITS. The Director of Public Works is hereby authorized and empowered to issue permits for the placement and maintenance of anti-litter receptacles at locations in the financial and business districts of the City and County of San Francisco to be determined or approved by the Director. The receptacles and the placement thereof shall involve

no cost to the City and County. The provisions of this Section shall not be applicable to receptacles required to be placed and maintained pursuant to the provisions of Section 173 of this Article.

Section 4. The San Francisco Public Works Code, Article 5.1, is hereby amended by amending Section 171 therein to read as follows:

SEC. 171. DECALS ON RECEPTACLES. (a) Sponsors of the placement of the receptacles shall be allowed to place decals on the receptacles bearing their names, providing that the decal shall be no larger than four inches by six inches overall and the size and design of the decal shall be subject to the approval of the Director of Public Works.

(b) Pursuant to Section 170(a) owners of garbage receptacles shall be allowed to prominently place decals on the receptacles bearing the scheduled collection dates and times, providing that the decal shall be no larger than 8 1/2 inches by 11 inches overall and the size and design of the decal shall be subject to the approval of the Director of Public Works.

Approved as to Form:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
September 20, 1993	§	September 27, 1993
	§	
	§	
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kennedy Leal Maher Migden Shelley	§	Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
	§	
	§	
Absent: Supervisors Alioto Kaufman	§	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
118-93-5

Date Approved

Mayor

October 11, 1993

I hereby certify that the foregoing ordinance, not being both signed and returned to the Clerk of the Board by the Mayor within the time limit as set forth in Section 2.302 of the Charter, became effective without his approval in accordance with the provision of said Section 2.302 of the Charter.

John L. Taylor
Clerk

File No. 118-93-5

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FILE NO. 118-93-6 ORDINANCE NO. 331-93

[Exception to Health Code Restriction of Certain Animals]

AMENDING THE SAN FRANCISCO MUNICIPAL CODE, HEALTH CODE, ARTICLE 1, BY AMENDING SECTION 60 TO ALLOW CERTAIN ANIMALS AT FILM AND VIDEO PRODUCTION SITES AND TO REQUIRE THE PRESENCE OF A CALIFORNIA BOARD-CERTIFIED VETERINARIAN WHEN SAID ANIMALS ARE IN SAN FRANCISCO.

Note: Additions are underlined, deletions are indicated by ~~STRIKE/OUTS~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 60 of Article 1 of the San Francisco Health Code is hereby amended to read as follows:

Sec. 60. **EXCEPTIONS / INSTITUTIONS.**

The provisions of Sections 50 through 66 of the Chapter shall not prohibit the selling, having, keeping, maintaining, possessing, or controlling of any wild and potentially dangerous animals within the City and County of San Francisco by any of the following: zoos, circuses, museums, educational institutions, veterinary hospitals, ~~or~~ the public pound, or film and video productions, provided that said animals are had, kept, maintained, possessed or controlled in compliance with other local, state and federal regulations and said animals are confined in a manner deemed by the director to protect the public from harm, and a California Board-certified veterinarian is

//

present to insure the wellbeing of said animals.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 4, 1993	October 12, 1993
Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisor Bierman Hsieh Kennedy Maher	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 118-93-6

OCT 22 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 121-93-15 ORDINANCE NO. 332-93

(On-Street Vehicle Sales; Removal of Vehicles)

AMENDING SECTION 710.2 OF THE SAN FRANCISCO POLICE CODE TO AUTHORIZE REMOVAL OF VEHICLES FROM SUNSET BOULEVARD IN VIOLATION OF THE PROHIBITION AGAINST PARKING OF VEHICLES FOR PURPOSE OF DISPLAYING SUCH VEHICLES FOR SALE.

Note: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 710.2 of the San Francisco Police Code is hereby amended to read as follows:

SEC. 710.2 ON STREET SALES PROHIBITED; EXCEPTION; REMOVAL OF VEHICLES AUTHORIZED. It shall be unlawful for any person to park a vehicle on an on-street parking place in an area designated under the City Planning Code as RH-1, RH-2 or RH-1(D) for the purpose of displaying same for sale unless the vehicle is parked within 600 feet of the residence of the registered owner of the vehicle. Pursuant to Section 22651.9 of the California Vehicle Code, any vehicle parked on any portion of Sunset Boulevard in violation of this Section may be removed and impounded in accordance with Article 9 of the San Francisco

Traffic Code, provided that (a) such vehicle has been issued a notice of parking violation for violation of this Section within the past 30 days, (b) such previous notice of parking violation was accompanied by a warning that an additional violation may result in the removal and impoundment of the vehicle, (c) a subsequent notice of parking violation was issued at least 24 hours prior to the removal of the vehicle, and (d) any other conditions to the removal of the vehicle set forth in Section 22651.9 of the California Vehicle Code have been satisfied.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Tamy Wayte
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 4, 1993	October 12, 1993
Ayes: Supervisors Alioto Conroy Hallinan Kaufman Leal Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisor Bierman Hsieh Kennedy Maher	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 121-93-15

OCT 22 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 121-93-6 ORDINANCE NO. 333-93

[Display of Spray Paint and Markers]

AMENDING CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY ADDING ARTICLE 42 REGULATING THE SALE OF AEROSOL PAINT AND MARKER PENS, AND MAKING IT UNLAWFUL TO SELL AEROSOL PAINT OR MARKER PENS IN VIOLATION OF THESE REQUIREMENTS.

Note: This entire Article is new.

Be it ordained by the people of the City and County of San Francisco that:

Sec. 1. Chapter VIII of the San Francisco Municipal Code (Police Code) is hereby amended by adding a new Article 42 thereto reading as follows:

ARTICLE 42

Sale and Display of Spray Paint and Marker Pens

SEC. 4200. DEFINITIONS. For purposes of this Article, the following terms shall have the following meanings;

(a) "Aerosol Paint Container" means any aerosol container, regardless of the material from which it is made, which is adapted or made for the purpose of spraying paint capable of defacing property.

(b) "Marker Pen" means any indelible marker or similar implement with a writing tip exceeding (4) millimeters in width that contains a solution which cannot be removed with water after it dries.

/ / /

SEC. 4201. STORAGE AND DISPLAY OF AEROSOL PAINT CONTAINERS AND MARKER PENS.

(a) It shall be unlawful for any person who owns, conducts, operates or manages a retail commercial establishment where aerosol paint containers or marker pens are sold to store or display, or cause to be stored or displayed, such spray paint containers and marker pens in an area that is accessible to the public without employee assistance in the regular course of business pending legal sale or other disposition.

(b) Nothing herein shall preclude the storage or display of spray paint containers and marker pens in an area viewable by the public so long as such items are not accessible to the public without employee assistance.

APPROVED AS TO FORM:

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
October 18, 1993	§	October 25, 1993
	§	
	§	
Ayes: Supervisors Alioto Bierman	§	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	§	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	§	Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
121-93-6

OCT 29 1993
Date Approved

Mayor

FILE NO. 101-93-13

(Government Funding)

Budget
ORDINANCE NO. 334-93

RO# 93079
SA#15

APPROPRIATING $363,000 FOR TEMPORARY SALARIES, MANDATORY FRINGE BENEFITS, DEPARTMENT AND DIVISION OVERHEADS, MATERIALS AND SUPPLIES, AND EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS, FOR FISCAL YEAR 1993-1994.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby approriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	**GENERAL FUND UNALLOCATED**		
GL491 (000006)	Unappropriated Revenue Reserved		
Subsidiary 000104	DPW Street Cleaning Program	$363,000	
90-08-00	**PUBLIC WORKS - ST. CLEANING SERVICE**		
01-0200(782003)	Temporary Salaries		$143,988
04-0699	Mandatory Fringe Benefits		$27,257
09-0900	Department Overhead		$22,150
09-0910	Division Overhead		$49,605
11-1300	Materials and Supplies		$90,000
22-2200	Equipment Purchase		$30,000
	TOTAL	$363,000	$363,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

SUPERVISOR ALIOTO
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading
October 18, 1993

Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley

Finally Passed
October 25, 1993

Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-93-13

OCT 29 1993
Date Approved

[signature]
Mayor

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FILE NO. 45-93-66 ORDINANCE NO.: 335-93

RO #93064

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ARTURO LOPEZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $57,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ARTURO LOPEZ v. CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO; BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO; AND SAM YOCKEY, Superior Court No. 920242," by the payment of $57,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

CIVIL SERVICE COMMISSION

WENDELL PRYOR
General Manager

FUNDS AVAILABLE:

01 001 97 09 30
332148 1450 $57,500.00

EDWARD M. HARRINGTON
Controller

SEP 08 1993

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 12, 1993	October 18, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-66

OCT 29 1993
Date Approved

Mayor

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FILE NO. 45-93-67 ORDINANCE NO. 336-93

RO #93062

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF DONNA RITTER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $6,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Donna Ritter v. City and County of San Francisco, et al.," San Francisco Municipal Court No. 048-907 by the payment of $6,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

JOHN E. CRIBBS
Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

SEP 08 1993

01 001 97 09 90
309674 1450 $6,000.00

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
October 12, 1993	§	October 18, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	§	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-67

OCT 29 1993
Date Approved

Mayor

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FILE NO. 45-93-68 ORDINANCE NO.: 337-93

RO #93073

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MARIA & SERGIO TAPIA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $12,500.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Maria & Sergio Tapia v. City and County of San Francisco," San Francisco Superior Court No. 944-161, by the payment of $12,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PARKING & TRAFFIC

JOHN NEWLIN
Executive Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

SEP 15 1993

01 001 97 09 36
310177 1450 $12,500.00

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
October 12, 1993	§	October 18, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	§	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
45-93-68

OCT 29 1993
Date Approved

Mayor

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FILE NO. 46-93-14 ORDINANCE NO. 338-93

SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF THOMAS SPURLOCK v. MICHAEL ALEXICS, ET AL., UPON RECEIPT OF THE SUM OF $5,000.00 LESS ONE-HALF COURT COSTS AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 932427 entitled "Thomas Spurlock, Plaintiff, v. Michael Alexics, et al., Defendants" by acceptance of the sum of $5,000.00 less one-half court costs and by dismissing Complaint.

Section 2. Upon receipt of said sum of $5,000.00 less one-half court costs and appropriate paperwork the City Attorney is authorized to dismiss said action.

APPROVED AND RECOMMENDED

LOUISE H. RENNE
City Attorney

By PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By CLARE M. MURPHY
General Manager

33186/29

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 12, 1993	October 18, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 46-93-14

OCT 29 1993
Date Approved

Mayor

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AMENDMENT OF THE WHOLE

FILE NO. 65-93-7

ORDINANCE NO. 339-93

[Lease Termination Agreement]

APPROVING THE LEASE TERMINATION AGREEMENT TERMINATING A LEASE AGREEMENT BY AND BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND SPACE SYSTEMS/LORAL, INC.; PROVIDING FOR THE EXECUTION OF THE LEASE TERMINATION AGREEMENT; AUTHORIZING THE GENERAL MANAGER OF THE PUBLIC UTILITIES COMMISSION TO MAKE CHANGES TO THE LEASE TERMINATION AGREEMENT; AUTHORIZING CITY OFFICIALS TO EXECUTE AND DELIVER ANY DOCUMENT NECESSARY TO IMPLEMENT THIS ORDINANCE; AND RATIFYING ANY ACTION PREVIOUSLY TAKEN IN CONNECTION WITH THIS ORDINANCE.

WHEREAS, the Public Utilities Commission pursuant to Resolution No. 91-257 approved the original terms and conditions of a 50 Acre Lease, dated August 28, 1991 ("Lease"), by and between the City and County of San Francisco and Space Systems/Loral, Inc., ("Lessee") for certain real property located in Santa Clara County ("Property"); and

WHEREAS, the Board of Supervisors pursuant to Ordinance 351-91 approved the original terms and conditions of the Lease; and

WHEREAS, the Lessee has notified the Water Department that it no longer needs the Property and would like to terminate the Lease as of November 30, 1993; and

WHEREAS, under Resolution No. 93-0277, the Public Utilities Commission approved a lease termination agreement providing for the termination of the Lease on November 30, 1993; now, therefore

BE IT ORDAINED BY the People of the City and County of San Francisco:

SECTION 1. Lease Termination Agreement. At the request of the Public Utilities Commission, the Board of Supervisors hereby approves the Lease Termination Agreement, copies of which are on file with the Clerk of the Board of Supervisors.

SECTION 2. Execution of Lease Termination Agreement. The Board of Supervisors hereby authorizes and directs the Mayor and the General Manager of the Public Utilities Commission to execute, and the Clerk of the Board is hereby authorized to attest and to affix the seal of the City on, the Lease Termination Agreement in substantially the form presented to the Board of Supervisors, with such additions and changes as the General Manager of the Public Utilities Commission may approve or make in accordance with Section 3 hereof.

SECTION 3. Modifications to Lease Termination Agreement. The General Manager of the Public Utilities Commission, in consultation with the City Attorney, is hereby authorized to approve and make such changes or additions to the Lease Termination Agreement as may be necessary or appropriate, such approval to be conclusively evidenced by the execution of the Lease Termination Agreement by the General Manager.

SECTION 4. General Authority. The Mayor, the City Attorney, the General Manager of the Public Utilities Commission, the Clerk of the Board of Supervisors and any other officers of the City and their duly authorized deputies and agents are hereby authorized and directed, jointly and severally, to execute any requests,

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requisitions, certificates, agreements or other documents as each may deem necessary or desirable to facilitate the execution and delivery by the City of the Lease Termination Agreement and the consummation of the transactions contemplated thereby, and to otherwise carry out any provision of this ordinance.

SECTION 5. Ratification. All actions authorized and directed by this ordinance and heretofore taken are hereby ratified, approved and confirmed by this Board of Supervisors.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
VICTOR L. CASTILLO
Deputy City Attorney

APPROVED:

PUBLIC UTILITIES COMMISSION

By _____
General Manager

6019w

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 12, 1993	October 18, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-93-7

OCT 29 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 93-93-12 ORDINANCE NO. 340-93

CC

(Airport Police Management Memorandum of Understanding)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE MUNICIPAL EXECUTIVES ASSOCIATION AND THE CITY AND COUNTY OF SAN FRANCISCO PURSUANT TO CHARTER SECTION 8.590-1 ET. SEQ. FOR AIRPORT POLICE CHIEF AND AIRPORT DEPUTY POLICE CHIEF CLASSIFICATIONS.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal terms and conditions of employment set forth in the Memorandum of Understanding between the Municipal Executives Association and the City and County of San Francisco pursuant to Charter section 8.590-1 et. seq. for the Airport Police Chief and the Airport Deputy Police Chief classifications which was approved by the Mayor on August 16, 1993 and adopted by the Board of Supervisors on October 12, 1993 by resolution No. 827-93. A copy of the Memorandum of Understanding is on file in the office of the Board of Supervisors.

APPROVED AS TO FORM:
Louise H. Renne
City Attorney

Julie A. Clayton
Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
October 12, 1993	§	October 18, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	§	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-93-12

OCT 29 1993
Date Approved

Ethel M. Jordan
Mayor

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FILE NO. 93-93-13 ORDINANCE NO. 341-93

CC

(Airport Police Memoranda of Understanding)

AN ORDINANCE IMPLEMENTING THE FISCAL PROVISIONS OF TWO MEMORANDA OF UNDERSTANDING BETWEEN THE SAN FRANCISCO AIRPORT POLICE OFFICERS ASSOCIATION AND THE CITY AND COUNTY OF SAN FRANCISCO PURSUANT TO CHARTER SECTION 8.590-1 ET SEQ.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the fiscal terms and conditions of employment for units 14B and 15B set forth in the two Memorandum of Understanding between the San Francisco Airport Police Officers Association and the City and County of San Francisco pursuant to Charter Section 8.590-1 et seq., which were awarded by the Arbitration Board in an award which became final July 8, 1993, and which is effective through June 30, 1995, with the specific exception of sections 53B, 53C, 53D and 53E relating to retirement which shall not be so implemented. Copies of the Memoranda of Understanding are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM:

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS
0074 2

August 31, 1993

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 12, 1993	October 18, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-93-13

OCT 29 1993
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 101-93-10

(Government Funding)

Budget
ORDINANCE NO. 342-93

RO#93067
SA#04

APPROPRIATING AND CERTIFYING $25,835 FOR CAPITAL IMPROVEMENT PROJECT TO COVER 10% OVERAGE AS PER CHARTER SECTION 7.203, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN, DEPARTMENT OF PUBLIC WORKS, FOR FISCAL YEAR 1993-1994.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	AMOUNT Debit	AMOUNT Credit
06-503	**Street Improvement Project**		
90-06-00	**PUBLIC WORKS - ENGINEERING**		
Project 042-40	Deharo & Arkansas Street Pavement Renovation		
20-2030 (600437)	Capital Improvement Project	$25,835	$25,835

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE

[signature]
CONTROLLER

b:\gpro\budget90sa04

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading
October 12, 1993

Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley

Finally Passed
October 18, 1993

Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-93-10

OCT 29 1993
Date Approved

[signature]
Mayor

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FILE NO. 101-93-11

Budget
ORDINANCE NO. 343-93

(Government Funding)

RO#93068
SA#07

APPROPRIATING AND CERTIFYING $123,592 FOR CAPITAL IMPROVEMENT PROJECT TO COVER 10% OVERAGE AS PER CHARTER SECTION 7.203, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN, DEPARTMENT OF PUBLIC WORKS, FOR FISCAL YEAR 1993-1994.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	AMOUNT Debit	AMOUNT Credit
05-612	1987 Street Improvement Project		
90-06-00	**PUBLIC WORKS - ENGINEERING**		
Project 809-01	Alta Street Emergency Restoration Work		
20-2030 (778423)	Capital Improvement Project	$123,592	$123,592

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE

for CONTROLLER

s:\cpro\budget90\a07

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

October 12, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

October 18, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-93-11

OCT 29 1993
Date Approved

Mayor

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FILE NO. 101-93-12

(Government Funding)

Budget
ORDINANCE NO. 344-93

RO# 93078
SA#14

APPROPRIATING $114,167 FOR PERMANENT SALARIES AND MANDATORY FRINGE BENEFITS FOR THE DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1993-1994, SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unallocated		
GL491 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000104	DPW Street Cleaning Program	$114,167	
49-4900 (919878)	Revenue Transfer Out to #02-091, Special Gas Tax Fund, 90-06-00		$114,167
	TOTAL GENERAL FUND	$114,167	$114,167
02-091	Special Gas Tax Street Improvement Fund		
90-06-00	Public Works - St. Cleaning Service		
99-9990 (239475)	Revenue Transfer In from 01-001, General Fund; 97-09-00	$114,167	
01-0010 (782011)	Permanent Salaries - Miscellaneous		$95,995
04-0699	Mandatory Fringe Benefits		$18,172
	TOTAL GAS TAX FUND	$114,167	$114,167

SUPERVISOR ALIOTO
BOARD OF SUPERVISORS

Section 2. This Ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
October 18, 1993	$	October 25, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	$	Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-12

NOV 3 1993
Date Approved

Mark P. Jordan
Mayor

FILE NO. 101-93-14

(Government Funding)

Budget

ORDINANCE NO. 345-93

RO#93081
SA#08

APPROPRIATING $1,040,722 FOR CAPITAL IMPROVEMENT PROJECTS FOR THE FIRE DEPARTMENT, DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1993-1994.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby approriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
05-613	**1989 Earthquake Safety Bond Fund**		
90-02-00	Public Works - Architecture		
54-5401 (053595)	Interest Earned	$1,040,722	
31-03-00	Fire Department		
Project 100-01	**Various Fire Station Improvements**		
20-2030 (530261)	Capital Improvement Project		$1,040,722
	TOTAL	$1,040,722	$1,040,722

APPROVED AS TO FORM
LOUISE H. RENNE CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

B:APPROBUDGET\SOBAOS

SUPERVISOR ALIOTO

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

October 18, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

October 25, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley

Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-93-14

NOV. 3 1993
Date Approved

[signature]
Mayor

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FILE NO. 101-93-22

ORDINANCE NO. 346-93

(Government Funding)

RO#93112
SA#40

APPROPRIATING $200,000 FOR PERMANENT SALARIES, MANDATORY FRINGE BENEFITS, OTHER NON-PERSONAL SERVICES AND MATERIALS AND SUPPLIES FOR SAN FRANCISCO GENERAL HOSPITAL FOR FISCAL YEAR 1993-1994.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unallocated		
GL496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000106	DSS-SSI Resource Center	$200,000	
47-4700 (876789)	Contribution Transfer Out to 36-001 Hospital Operating Fund		$200,000
	TOTAL	$200,000	$200,000
36-001	Hospital Operating Fund		
86-41-00	SFGH - Emergency Medical Service		
97-9701 (199471)	Contribution Transfer In From 01-001 General Fund	$200,000	
01-0010 (443010)	Permanent Salaries		$134,839
04-0600	Mandatory Fringe Benefits		$24,272
10-1900	Other Non-Personal Services		$20,000
11-1300	Materials and Supplies		$20,889
	TOTAL	$200,000	$200,000

SUPERVISOR HIGDEN, ALIOTO

BOARD OF SUPERVISORS

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 18, 1993	October 25, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-93-22

NOV 3 1993

Date Approved

Mayor

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FILE NO. 121-93-15.1 ORDINANCE NO. 347-93

(On-Street Vehicle Sales; Removal of Vehicles)

AMENDING SECTION 710.2 OF THE SAN FRANCISCO POLICE CODE TO AUTHORIZE REMOVAL OF THOSE VEHICLES FROM CITY STREETS IN VIOLATION OF THE PROHIBITION AGAINST PARKING OF VEHICLES FOR PURPOSE OF DISPLAYING SUCH VEHICLES FOR SALE

Note: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 710.2 of the San Francisco Police Code is hereby amended to read as follows:

SEC. 710.2 ON STREET SALES PROHIBITED; EXCEPTION; REMOVAL OF VEHICLES AUTHORIZED. It shall be unlawful for any person to park a vehicle on an on-street parking place in an area designated under the City Planning Code as RH-1, RH-2 or RH-1(D) for the purpose of displaying same for sale unless the vehicle is parked within 600 feet of the residence of the registered owner of the vehicle. Pursuant to Section 22651.9 of the California Vehicle Code, any vehicle parked on any street or highway within the City and County of San Francisco in violation of this Section may be removed and impounded in accordance with Article 9 of the

San Francisco Traffic Code, provided that (a) such vehicle has been issued a notice of parking violation for violation of this Section within the past 30 days, (b) such previous notice of parking violation was accompanied by a warning that an additional violation may result in the removal and impoundment of the vehicle, (c) a subsequent notice of parking violation was issued at least 24 hours prior to the removal of the vehicle, and (d) any other conditions to the removal of the vehicle set forth in Section 22651.9 of the California Vehicle Code have been satisfied.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Tony Wright
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 18, 1993	October 25, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley
	Absent: Supervisor Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
121-93-15.1

NOV 3 1993
Date Approved

Frank M. Jordan
Mayor

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NOV 22 1993
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PUBLIC LIBRARY

FILE NO. 45-93-69 ORDINANCE NO. 348-93

RO #93074

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF NERO ROBINSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $21,250.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "NERO ROBINSON v. CITY AND COUNTY OF SAN FRANCISCO, et al.," San Francisco Superior Court No. 934-222, by the payment of $21,250.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

for PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

MICHAEL HENNESSEY
Sheriff
S. F. Sheriff's Department

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

SEP 20 1993

01 001 97 09 06
309740 1450 $21,250.00

APPROVED:

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 25, 1993	November 1, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisor Kennedy	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-93-69

NOV 12 1993
Date Approved

Mayor

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FILE NO. 45-93-70 ORDINANCE NO.: 349-93

RO #93075

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JOSEPH TURTURICI AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $16,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "JOSEPH TURTURICI v. CITY AND COUNTY OF SAN FRANCISCO, et al.,"San Francisco Superior Court No. 930-225, by the payment of $16,500.00

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOHN E. CRIBBS
Director of the Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

SEP 20 1993

01 001 97 09 90
309674 1450 $16,500.00

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

4474N

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
October 25, 1993	$	November 1, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley	$	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisor Kennedy	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-93-70

NOV 12 1993
Date Approved

Mayor

FILE NO. 45-93-72

ORDINANCE NO. 350-93

RO #93097

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF LUELLA SHANAHAN, ET AL., AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $30,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "LUELLA SHANAHAN, et al. v. CITY AND COUNTY OF SAN FRANCISCO, et al.," United States District Court No. C92-4067 MHP, by the payment of $30,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

RAYMOND J. BAXTER
Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 86
309807 1450 $30,000.00

SEP 28 1993

APPROVED:

SECRETARY
Public Health Commission

8829n

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

October 25, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Leal Maher Migden Shelley

Absent: Supervisor Kennedy

Finally Passed

November 1, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-93-72

NOV 12 1993

Date Approved

Mayor

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FILE NO. 45-93-73 ORDINANCE NO. 351-93

RO #93098

[SETTLEMENT OF LAWSUIT]
AUTHORIZING SETTLEMENT OF LITIGATION OF ROSALEE FOLGER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $25,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "ROSALEE FOLGER V. THE CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 943-461, by the payment of $25,000.00.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

PUBLIC HEALTH DEPARTMENT

RAYMOND J. BAXTER, Director

APPROVED:

PUBLIC HEALTH COMMISSION:

SECRETARY

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

SEP 28 1993

01 001 97 09 86
309807 1450 $25,000.00

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
October 25, 1993	$	November 1, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Leal Maher Migden Shelley	$	Kennedy Leal Maher Migden Shelley
	$	
Absent: Supervisor Kennedy	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-93-73

NOV 12 1993
Date Approved

Mayor

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FILE NO 97-93-33 ORDINANCE NO 352-93

[Conflict of Interest Code]

AMENDING SECTION 58.145 OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO ADD LEGISLATIVE AIDE AND ADMINISTRATIVE ASSISTANT TO MEMBER OF THE BOARD OF SUPERVISORS AS DESIGNATED POSITIONS WITH DISCLOSURE RESPONSIBILITIES UNDER THE CONFLICT OF INTEREST CODE OF THE CITY AND COUNTY OF SAN FRANCISCO

Note: Additions are underscored.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 58.145 of the San Francisco Administrative Code is hereby amended to read as follows:

Sec. 58.145. Board of Supervisors.

Disclosure Category 2. Persons in this category shall disclose all investments and business positions held in business entities, and income from any business entity, engaged in the development, manufacture, distribution, sale or lease of computer hardware or software.

Designated Positions	Disclosure Categories
Member, Board of Supervisors	See Sec. 58.600
Clerk of the Board	1
Budget Analyst	1
Member, Assessment Appeals Board	1
Management Information Specialist	2

/ / /

BOARD OF SUPERVISORS

Designated Positions	Disclosure Categories
Legislative Aide to Member of the Board of Supervisors	1
Administrative Assistant to Member of the Board of Supervisors	1

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: [signature]

SUPERVISORS HALLINAN, SHELLEY, LEAL, BIERMAN

,,,,,

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
October 25, 1993	$	November 1, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden	$	Kennedy Leal Maher Migden Shelley
	$	
Absent: Supervisor Shelley	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-93-33

NOV 12 1993
Date Approved

Frank M. Jordan
Mayor

[Graffiti Advisory Board]

AMENDING CHAPTER 5 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTIONS 5.170 THROUGH 5.174 THERETO, CREATING A GRAFFITI ADVISORY BOARD.

NOTE: All sections are new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Sections 5.170 through 5.174 to Chapter 5, to read as follows:

SEC. 5.170. GRAFFITI ADVISORY BOARD -- ESTABLISHED.

(a) There is hereby established the Graffiti Advisory Board. This Board shall be advisory to the Board of Supervisors about the problem of graffiti in neighborhoods and the downtown area of San Francisco. The Advisory Board shall also advise the Mayor and the Board of Supervisors about graffiti enforcement, cleanup and prevention strategies.

(b) There shall be nineteen (19) voting members and four (4) non-voting members to the Board, who shall be appointed as follows:

1. The Mayor, or his or her designee, shall serve as a voting member.

/ / /

2. The Board of Supervisors shall appoint the following voting members:

a. One member of the Board of Supervisors

b. One member representing the Youth Court

c. One member representing Youth Groups who provide services for juveniles involved in alternative programs for graffiti diversion

d. Two members representing non-profit organizations who provide services related to the City's beautification and neighborhood clean-up programs

e. Two members representing businesses who operate in San Francisco, one member to represent small businesses, and the second member to represent large businesses

f. One member representing private schools who operate in San Francisco

g. One member representing the contracting agency for Municipal Railway Shelters

h. One at-large member knowledgeable in graffiti issues

3. The Board of Supervisors shall appoint the following four non-voting members:

Four members representing neighborhood organizations from varying districts in San Francisco, comprising representation of the majority of the City's neighborhoods.

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4. The following officials and organizations shall each appoint one representative to serve on the Advisory Board as voting members:

a. The General Manager of the Municipal Railway

b. The Director of Public Works

c. The Executive Director of the Department of Parking and Traffic

d. The General Manager of the Recreation and Park Department

e. The Sheriff

f. The Chief of Police

g. The Juvenile Court

h. The Board of Education of the San Francisco Unified School District

(c) The members of the Advisory Board shall be broadly representative of the ethnic, racial, gender, age and sexual orientation diversity of the City and County. All members of the Advisory Board shall be residents of the City and County of San Francisco, in accordance with Section 8.104 of the Charter. In making appointments to the Advisory Board the appointing authorities shall appoint persons from varying backgrounds who have demonstrated abilities, skills, or experience with youth or addressing blight in neighborhoods.

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SEC. 5.171. ORGANIZATION. (a) In the event a vacancy occurs, a successor shall be appointed to fill the vacancy consistent with the process and requirements to appoint the previous appointee.

(b) The initial meeting of the Advisory Board shall be called within 30 days from the day the Board of Supervisors completes its initial appointments.

(c) The members of the Advisory Board shall designate the Chair of the Advisory Board.

SEC. 5.172. PURPOSE AND DUTIES. The Graffiti Advisory Board shall have the duty to:

(a) Prepare and submit to the Board of Supervisors and the Mayor a report every six months on graffiti as it affects neighborhoods and the downtown area of San Francisco, which shall include a review and evaluation of the services and programs in place to respond to graffiti, prevention strategies, and recommendations and plans as to a consolidated program of public and private efforts.

(b) Advise about the coordination of information, activities and goals among existing programs funded by the City and County and privately sponsored programs.

(c) Advise about improving the efficiency in the provision of graffiti enforcement, prevention and clean-up services.

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SEC. 5.173. STAFFING FOR THE GRAFFITI TASK FORCE. The Department of Public Works shall provide in-kind professional and administrative staff to the Advisory Board.

SEC. 5.174. COMPENSATION. Members of the Task Force shall not be compensated, nor shall they be reimbursed for expenses.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading		Finally Passed
October 25, 1993		November 1, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Leal Maher Migden Shelley		Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Hsieh Kennedy		

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-93-34

NOV 12 1993
Date Approved

Mayor

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[Establishment of Cultural Equity Endowment Fund Programs]

AMENDING SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING NEW CHAPTER 68 THERETO, ESTABLISHING CULTURAL EQUITY ENDOWMENT FUND PROGRAMS, SETTING FORTH GUIDELINES FOR DISBURSEMENT OF FUNDS AND AUTHORIZING THE SAN FRANCISCO ART COMMISSION TO ADMINISTER AND IMPLEMENT CULTURAL EQUITY ENDOWMENT FUND PROGRAMS.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

SEC. 1. The San Francisco Administrative Code is hereby amended by adding Chapter 68 thereto to read as follows:

CHAPTER 68

CULTURAL EQUITY ENDOWMENT FUND

SEC. 68.1. PURPOSES.

The Cultural Equity Endowment Fund ("Fund") is established to move San Francisco arts funding toward cultural equity. The goal of cultural equity will be achieved when all the people that make up the City have fair access to the information, financial resources and opportunities vital to full cultural expression, and the opportunity to be represented in the development of arts policy and the distribution of arts resources; when all the cultures and subcultures of the City are expressed in thriving, visible arts organizations of all sizes; when new large-budget

arts institutions flourish whose programming reflects the experiences of historically underserved communities, such as: African American; Asian American; disabled; Latino; lesbian and gay; Native American; Pacific Islander; and, women.

SEC. 68.2. PRINCIPLES FOR CULTURAL EQUITY ENDOWMENT FUND.

The Fund is established upon the following principles:

(a) It is the City's goal to achieve cultural equity, where every art form, from all segments of the population, has the opportunity to develop to its maximum potential.

(b) The Fund programs should be implemented through a public process.

(c) A healthy arts environment thrives at all levels. The productive vitality of individual artists, small and mid-size arts organizations, and grassroots cultural groups is as important to the City as the strength of the large-budget arts institutions.

(d) The arts play a vital economic role in San Francisco. The Fund is established to assist in keeping all the arts healthy.

(e) The Fund is established in the belief that the many cultural traditions which meet in San Francisco can thrive side by side and enrich each other.

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SEC. 68.3. ESTABLISHMENT OF CULTURAL EQUITY ENDOWMENT FUND.

There is hereby established a Cultural Equity Endowment Fund to be funded with monies collected and allocated pursuant to San Francisco Municipal Code, Part III, Section 515.

(a) Any unexpended balances remaining in the allocation to the Fund at the close of any fiscal year shall be deemed to be provided for a specific purpose within the meaning of Charter Section 6.306 and shall be carried forward and accumulated in the Fund for the purposes set forth in this Chapter 68.

(b) The San Francisco Art Commission is hereby authorized and directed to expend the monies allocated to the Fund and to implement and administer the Fund programs.

(c) The monies in the Fund shall be expended for the following four programs: (1) Cultural Equity Initiatives Program; (2) The Program for Commissions to Individual Artists; (3) Project Grants to Small and Mid-size Organizations; and (4) The Facilities Fund.

(d) The Art Commission may evaluate and review the demands for and by cultural and artistic programs and the level of resources available for such programs, and may determine the percentage of Fund monies allocated to each of the four programs. The Art Commission shall not be required to fund all four programs every year if the Art Commission determines, after

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review and evaluation, that demand for and by the program does not warrant expenditure.

SEC. 68.4. CULTURAL EQUITY INITIATIVES PROGRAM.

The Cultural Equity Initiatives Program shall be used to support arts organizations which are deeply rooted in and able to express the experiences of historically underserved communities such as: African American; Asian American; disabled; Latino; lesbian and gay; Native American; Pacific Islander; and, women. Awards may be made for the following types of projects: (1) creation of new programs; (2) expansion of existing programs; (3) technical assistance to improve an arts organization's management and artistic effectiveness; (4) training programs; (5) development of artistic projects; (6) marketing; (7) acquisition of equipment necessary for the arts organization's artistic services; and, (8) cross-cultural collaborations among individual artists or arts organizations.

SEC. 68.5. COMMISSIONS TO INDIVIDUAL ARTISTS.

The Commissions to Individual Artists Program shall provide support to individual artists to stimulate production and dissemination of works of art in all disciplines and all neighborhoods of San Francisco. The majority of Commissions to Individual Artists in any year shall be to artists who are deeply rooted in and able to express the experiences of historically underserved communities such as African American; Asian American;

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disabled; Latino; lesbian and gay; Native American; Pacific Islander; and, women.

SEC. 68.6. PROJECT GRANTS TO SMALL AND MID-SIZE ORGANIZATIONS.

Project Grants shall be awarded to small and mid-size arts organizations to stimulate the production and dissemination of works of arts in all disciplines in the City and County of San Francisco. The majority of grants in any program year shall be made to arts organizations fostering artistic expression that is deeply rooted in and reflective of historically underserved communities such as: African American; Asian American; disabled; Latino; lesbian and gay; Native American; Pacific Islander; and, women.

SEC. 68.7. FACILITIES FUND.

The Facilities Fund Program shall provide grants, loans and technical assistance to tax-exempt organizations for projects which provide appropriate and affordable facilities for artists and arts organizations. The majority of grants or loans in any program year shall be made to arts organizations fostering artistic expression which is deeply rooted in and reflective of historically underserved communities, such as African American, Asian American, disabled, Latino, lesbian and gay, Native American, Pacific Islander, and women, or tax-exempt organizations which provide live/work units to low- and moderate-income artists.

SEC. 68.8. ADMINISTRATION OF THE FUND.

(a) Art Commission Administrative Costs. The Art Commission shall be provided monies necessary to pay for the costs of implementing and administering the Fund. In the first year of implementation of the Fund programs, no more than sixteen percent (16%) of the total monies allocated to the Fund pursuant to San Francisco Municipal Code, Part III, Section 515 shall be allocated to the Art Commission for administrative costs. In the second year of implementation of the Fund programs, no more than fourteen percent (14%) of the total amount allocated to the Fund shall be used to cover administrative costs of the Art Commission. In the third and following years of implementation of the Fund programs, the Art Commission shall be allocated no more than twelve and one-half percent (12.5%) of the total monies allocated to the Fund. Any unexpended balances remaining in the administrative allocations set forth in this Section 68.8(a) shall be carried forward and accumulated for the purposes recited herein.

(b) Authority of the Art Commission. The Art Commission is hereby authorized to implement and administer the Fund programs, subject to the budget and fiscal provisions of the Charter. Such implementation and administration may include, but not be limited to, the following actions by the Art Commission: (1) adoption of guidelines and regulations for implementation, review and expenditure of the Fund in each of the four programs;

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(2) appointment of review panels and establish qualifications for members of the review panels and procedures for the review panel to advise the Art Commission on such expenditures; (3) determination of appropriate levels of funding each year for each of the Fund programs; (4) establishment of criteria and eligibility standards for applicants of Fund programs; (5) establishment of criteria for awarding, granting or lending monies from Fund programs; and, (6) execution of loan agreements, approved as to form by the City Attorney, made pursuant to Facilities Funds awards. The Art Commission may employ one or more administrators of the Fund as necessary to administer and implement the Fund programs.

(c) Appeals Process. The Art Commission may, at its discretion, establish an appeals process for any decisions regarding allocations of the Fund.

(d) Annual Review. The Art Commission may appoint an Advisory Committee to conduct an annual review of implementation of the Fund.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
October 25, 1993	$	November 1, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	$	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
97-93-49

NOV 12 1993
Date Approved

Mayor

October 20, 1993.

FILE NO. 125-93-1.1

ORDINANCE NO. 355-93

[Citations for Housing Code Violations]

AMENDING PART II, CHAPTER XII OF THE SAN FRANCISCO MUNICIPAL CODE (HOUSING CODE), BY AMENDING SECTION 204 TO ESTABLISH CITATION AUTHORITY FOR ENFORCEMENT OF THE HOUSING CODE PROVIDING THAT CITATIONS, EXCEPT FOR THOSE ISSUED FOR VIOLATIONS OF SECTIONS 701 (a), (b) and (c), SHALL NOT ISSUE UNTIL THE TIME PROVIDED IN THE INITIAL NOTICE OF VIOLATION HAS EXPIRED; CREATING FINES FOR VIOLATION OF THE HOUSING CODE RANGING FROM $100 FOR THE FIRST VIOLATION TO $200 FOR THE SECOND VIOLATION OF THE SAME SECTION WITHIN ONE YEAR OF THE FIRST VIOLATION, WITH MAXIMUM FINES OF $7,500 PER BUILDING; INCREASING THE MAXIMUM FINE UPON CONVICTION FOR MISDEMEANOR OFFENSES TO $1,000; INCREASING CIVIL PENALTIES TO $1,000 AND PROVIDING THAT THE DIRECTOR OF PUBLIC WORKS SHALL REPORT TO THE BOARD OF SUPERVISORS SIX (6) MONTHS FROM THE EFFECTIVE DATE OF THIS AMENDMENT THE IMPLEMENTATION OF SUCH CITATION POWER.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter XII of the San Francisco Municipal Code (Housing Code), is hereby amended by amending Section 204 to read as follows:

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SEC. 204. VIOLATIONS

(a) PENALTY FOR VIOLATION.

Any person, the owner or authorized agent who violates, disobeys, omits, neglects or refuses to comply with, or who resists or opposes the execution of any provisions of this Code, or any other order of the Superintendent or Director of Public Works, made pursuant to this Code, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding ((($500)) $1,000, or by imprisonment not exceeding six months, or by both such fine and imprisonment and shall be deemed guilty of a separate offense for every day such violation, disobedience, omission, neglect or refusal shall continue. Any person who shall do any work in violation of any of the provisions of this Code, or any order of the Superintendent or the Director of Public Works made pursuant to this Code, and any person having charge of such work who shall permit it to be done, shall be liable to the penalty provided.

(b) DEPARTMENT MEMBERS AS PUBLIC OFFICERS.

In the performance of their duties ((Housing Inspectors, Senior Housing Inspector, or any other representatives of the Superintendent who have the duty to enforce violations of Section 701(a), (b) or (c) of this Code)) of monitoring and enforcing compliance with the provisions of this Code, all persons authorized by the Housing Inspection Division of the Bureau of Building Inspection, Department of Public Works, to conduct on

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site inspections shall have the power, authority and immunity of a public officer and employee, as set forth in California Penal Code Section 836.5, to make arrests without warrants, whenever such employees have reasonable cause to believe that ((the person to be arrested has committed a misdemeanor in their presence which is a violation of Section 701(a), (b) or (c) of this Code)) a violation of this Code has taken place in their presence; provided, however, that no such arrest shall be made until the time period for compliance provided in the initial notice of violation has expired, except that arrests for violations of Sections 701(a), (b) and (c) may be made at the time the violation was observed. In any case in which a person is arrested pursuant to this authority and the person arrested does not demand to be taken before a magistrate, the public officer or employee making the arrest shall prepare a written notice to appear and shall release the person on their promise to appear as prescribed by Chapter 5C (commencing with Section 853.6) of the California Penal Code.

The Director of Public Works, in coordination with the Chief of Police, shall establish and cause to be administered an enforcement training program designed to instruct each employee so authorized by this section to exercise arrest and citation authority. Such training shall include guidance and instruction regarding the evidentiary prerequisites to proper prosecution of violations thereof; the appropriate procedures for making arrests

or otherwise prudently exercising such arrest and citation authority; and the legal and practical ramifications and limitations relevant to exercising enforcement authority.

(c) CRIMINAL PENALTIES FOR VIOLATION OF ((Section 701(a), (b) or (c))) THIS CODE.

Any person or entity violating any provision of this Code other than Sections 701(a), (b) or (c) ((of this Code)) shall be guilty of an infraction ((or a misdemeanor,)) and ((the complaint charging such violation)) a citation pursuant to Section 204(b) may be issued. ((shall specify whether the violation charged is a misdemeanor or an infraction.))

((If charged as an infraction, t)) The penalty upon conviction thereof shall not be less than ((($100)) $250 or more than $500, no part of which may be suspended.

((If)) Only violations of Sections 701(a), (b) and (c) may be charged as a misdemeanor((,) upon issuance of a citation authorized by Section 204(b). ((t)) The penalty upon conviction thereof shall be a fine of not less than $500 or more than $1,000 or imprisonment in the county jail not exceeding six months, or both such fine and imprisonment, no part of which may be suspended.

((Every day such violation shall continue shall be considered a new offense. There shall be no more than one violation per building per day.))

/ / /

(1) Upon failure of the owner or operator to comply with the notice of violation, a citation may issue. Pursuant to California Government Code Sections 36900 and 36901, the fine for infractions shall be as follows:

(a) a fine not exceeding one hundred dollars ($100) for the initial non-compliance;

(b) a fine not exceeding two hundred dollars ($200) for the second non-compliance of the same section of the Code within one (1) year of the issuance of the first notice of violation;

(c) the maximum fine per building under (a) and (b) above shall not exceed $7,500.

(2) For purposes of Section 204(a) and (b), a violation of ((Sections 701(a), (b) or (c))) this Code shall include, but is not limited to, disobedience, omission, failure, or refusal to comply with any requirement imposed or created by ((Sections 701(a), (b) or (c))) this Code or with any notice or order of the Superintendent or the Director of Public Works regarding ((a)) violations of ((Sections 701(a), (b) or (c))) this Code.

d) PRESUMPTION OF NONCOMPLIANCE WITH ORDER; CIVIL PENALTY FOR VIOLATION OF ((Sections 701(a), (b) or (c))) CODE.

(1) Notwithstanding any other provision of this Code, any person or entity served, in any manner permitted for service of process under the provisions of the Code of Civil Procedure, with a notice or order by the Superintendent or Director of Public

Works setting forth the nature of the violation of ((Sections 701(a), (b) or (c) of the Housing Code)) this Code, demanding correction of such violation and specifying the time within which such violation must be corrected, shall be presumed, in civil proceedings, to have failed to comply with said notice or order at and after the time given in said notice or order for correction of such violation has expired without correction of said violation.

(2) Any person or entity violating ((Sections 701(a), (b) or (c))) this Code shall be liable for a civil penalty of not less than ((($500)) $1,000 for each day such violation is committed or permitted to continue, which penalty shall be assessed and recovered in a civil action brought in the name of the people of the City and County of San Francisco by the City Attorney in any court of competent jurisdiction. There shall be no more than one violation per building per day. Any penalty assessed and recovered in an action brought pursuant to this paragraph shall be paid to the Treasurer of the City and County of San Francisco.

(3) The remedies in this Section are in addition to any other remedies provided by law.

(e) ANNUAL REPORT TO THE BOARD OF SUPERVISORS

(1) Six months from the effective date of this ordinance, the Director of Public Works shall provide the Board of

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Supervisors with information on the implementation of this section.

(2) Each annual report of the Bureau of Building Inspection transmitted by the Director of Public Works to the Board of Supervisors shall contain a statistical report detailing the number of citations issued during the preceding year, correlated with a general description of the types of violations for which they were issued.

(f) PARTIAL APPROPRIATION OF FINES COLLECTED

Up to twenty five per cent (25%) of the monies collected pursuant to this section, other than monies mandated by state law to be appropriated for specific purposes, shall be deposited directly to the Bureau of Building Inspection Special Fund to partially offset the costs incurred by the Bureau of Building Inspection in issuing citations pursuant to this section.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Ilene Dick
ILENE DICK
Deputy City Attorney

SUPERVISORS KAUFMAN, BIERMAN
HALLINAN, SHELLEY, LEAL

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
October 25, 1993	November 1, 1993
Ayes: Supervisors Alioto Bierman Hallinan Kaufman Leal Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Leal Maher Migden Shelley
Noes: Supervisors Hsieh Kennedy	Noes: Supervisors Hsieh Kennedy
Absent: Supervisors Conroy Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
125-93-1.1

NOV 12 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 127-92-10 ORDINANCE NO. 356-93

(Fictitious Business Name Filing Requirement)

AMENDING ARTICLE 12B OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE BY ADDING SECTION 1007.3 TO REQUIRE PERSONS FILING A STATEMENT OF FICTITIOUS BUSINESS NAME PURSUANT TO §17900 ET SEQ. OF THE CALIFORNIA BUSINESS AND PROFESSIONS CODE TO PROVIDE PROOF OF COMPLIANCE WITH BUSINESS TAX REGISTRATION REQUIREMENTS.

Be it ordained by the People of the City and County of San Francisco:

Note: This section is entirely new.

Section 1. Article 12B of Part III of the San Francisco Municipal Code (Business Tax Registration) is hereby amended by adding Section 1007.3 thereto reading as follows:

SEC. 1007.3 PROOF OF COMPLIANCE WITH BUSINESS TAX REGISTRATION REGULATIONS REQUIRED TO FILE STATEMENT OF FICTITIOUS BUSINESS NAME.

The County Clerk-Recorder shall not accept for filing, pursuant to §17900 et seq. of the California Business and Professions Code, any statement of fictitious business name representing any new, renewal, addition, withdrawal or abandonment of a fictitious business name until a registration certificate or other proof of compliance is presented which shows that all applicable sections under Article 12B of Part III of the San Francisco Municipal Code regarding business tax registration have been complied with. The County Clerk-Recorder is hereby authorized

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and directed to develop rules and regulations to implement the provisions of this section.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Eleanor A. Elrod
ELEANOR A. ELROD
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
October 25, 1993	$	November 1, 1993
	$	
	$	
Ayes: Supervisors Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	$	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley
	$	
Absent: Supervisor Alioto	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
127-92-10

NOV 12 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 97-93-53 ORDINANCE NO. 357-93

(Repealing South Africa Divestment Ordinance)

AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY REPEALING ARTICLE XIX, SECTIONS 10.210 THROUGH 10.220 THEREOF PROHIBITING CERTAIN USES OF OR AGREEMENTS INVOLVING CITY FUNDS WITH PERSONS, FINANCIAL INSTITUTIONS OR OTHER BUSINESSES HAVING SPECIFIED RELATIONS WITH EITHER THE GOVERNMENT OF SOUTH AFRICA OR CERTAIN PRIVATE ENTITIES DOING BUSINESS WITH OR IN SOUTH AFRICA.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Chapter 10 of the San Francisco Administrative Code is hereby amended by repealing Article XIX, Sections 10.210 through 10.220 thereof.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: G. Scott Emblidge
G. SCOTT EMBLIDGE
Deputy City Attorney

Supervisors Maher, Conroy, Kennedy

10/6/93

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 1, 1993	November 8, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley
	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-93-53

NOV 12 1993
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 97-93-28 ORDINANCE NO. 358-93

(Use of City Vehicles)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE, CHAPTER 4, BY AMENDING SECTION 4.11 TO DELETE THE REQUIREMENT THAT THE PURCHASER OF SUPPLIES ASSIGN VEHICLES TO INDIVIDUAL OFFICERS AND EMPLOYEES AND INSTEAD TO AUTHORIZE THE DEPARTMENT HEAD TO ASSIGN VEHICLES UPON WRITTEN JUSTIFICATION FROM THE INDIVIDUAL OFFICER OR EMPLOYEE REQUESTING THE VEHICLE; TO ALLOW THE WATER DEPARTMENT AND THE DEPARTMENT OF PUBLIC WORKS TO AUTHORIZE SOME OF THEIR VEHICLES TO BE USED BY EMPLOYEES FOR EMERGENCY PURPOSES; FOR FORENSIC PATHOLOGISTS EMPLOYED BY THE OFFICE OF THE MEDICAL EXAMINER/CORONER USING CITY VEHICLES FOR TRANSPORTATION IN ORDER TO INVESTIGATE DEATH SCENES BEFORE AND AFTER NORMAL WORK HOURS, REQUIRING THE MEDICAL EXAMINER/CORONER TO KEEP RECORDS, AND REQUIRING SAID RECORDS TO BE OPEN TO INSPECTION BY THE MAYOR AND THE BOARD OF SUPERVISORS; AND TO ALLOW EMPLOYEES WHO RESIDE IN SAN FRANCISCO TO GARAGE CITY VEHICLES AT THEIR PLACES OF RESIDENCE DURING NON-WORK HOURS, REQUIRING REPORT FROM ALL DEPARTMENT HEADS.

10/25/93
ejp

NOTE: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code, Chapter 4, is hereby amended by amending Section 4.11 thereof, to read as follows:

SEC. 4.11. USE OF CITY-OWNED VEHICLES. (a) Vehicles owned, leased or rented by the City and County and assigned to, or under the jurisdiction of, any department of the City and County, shall be used only in the discharge and transaction of municipal business. No officer, employee or authorized volunteer of the City and County shall use any such vehicle without the consent of the head of such department. The ((Purchaser of Supplies)) head of the department which has jurisdiction over any such vehicle may shall not assign any such vehicle to an individual officer or employee unless a written request justifying the need for personal assignment is made by the individual officer or employee ((head of the department)) and approved by the Chief Administrative Officer.

(b) No vehicle owned, leased or rented by the City and County and assigned to, or under the jurisdiction of, any department of the City and County shall be used for transportation to and from an employee's place of residence except as provided below:

(1) The employee resides in or both resides and works outside of the City and County and is on call for work after his or her normal workday is completed and the nature of the work has required the use of a City and County vehicle after hours on at least five occasions in the preceding 12-month period; or,

(2) The employee resides in or both resides and works outside of the City and County and must leave his or her residence prior to 8:00 a.m. on City and County business away from his or her normal place of work; or,

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NOV 3 1993
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(3) The employee resides in or both resides and works outside of the City and County and would return to his or her normal place of work from an appointment on City and County business after 6:00 p.m. or on a weekend; or,

(4) The employee is a member of the San Francisco Police Department, San Francisco Sheriff's Department, San Francisco Water Department, San Francisco Department of Public Works, or San Francisco Department of Emergency Services, and has the prior written permission of the department head to use a vehicle equipped with emergency equipment for such purpose, subject to such restrictions and regulations as the Chief of Police, Sheriff or Director of Emergency Services may provide for the respective departments. The departments shall keep detailed records of all vehicles used pursuant to this paragraph; said records shall be open to inspection by the Office of the Mayor and the Board of Supervisors; and provided further that the number of vehicles so exempted shall not exceed:

San Francisco Water Department	42
San Francisco Police Department	33
San Francisco Sheriff's Department	5
San Francisco Department of Emergency Services	2
San Francisco Department of Public Works	17

(5) The employee is a forensic pathologist employed by the Office of the Medical Examiner/Coroner and has prior written permission of the Medical Examiner/Coroner to use a City and County vehicle and is on call before or after normal work hours in order to respond to and investigate death scenes. The Medical Examiner/Coroner shall keep detailed records of all vehicles used pursuant to this subsection; said records shall be open to inspection by the Chief Administrative Officer and the Board of Supervisors; and provided further that the number of vehicles so exempted shall not exceed 2 vehicles; or.

(6) The employee is a resident of the City and County of San Francisco and is driving the vehicle to and from the employee's place of residence solely for the purpose of garaging the vehicle at his or her place of residence during non-work hours, with the approval by resolution of the Board of Supervisors, upon the recommendation of the Chief Administrative Officer, where the head of the department which has jurisdiction over such vehicle finds that the public interest will be best served by permitting the employee to take the vehicle home, rather than require the City to garage the vehicle.

(c) Penalty. Any employee violating the provisions of this section shall pay to the City and County an amount equal to three times the City and County's mileage reimbursement rate times the number of miles driven in violation thereof.

(d) Except as otherwise provided by ordinance, an authorized volunteer, while operating a motor vehicle owned by the City and County pursuant to authorization by the head of

BOARD OF SUPERVISORS

the department to which said vehicle is assigned or which has jurisdiction over said vehicle, shall be deemed to be an employee of the City and County solely for purposes of California Vehicle Code Section 17001 and Division 3.6 of Title 1 of the Government Code of the State of California, and for no other purpose; provided, however, that nothing herein contained shall be deemed to permit the authorization to operate a motor vehicle owned, leased or rented by the City and County contrary to the provisions of the Vehicle Code of the State of California.

10/25/93

Section 2. Each Department Head shall submit a six-month report to the Board of Supervisors by July 1, 1994, indicating the status of all City vehicles which are taken home by City employees for either emergency services or garaging.

ejp

Approved as to Form:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey

SUPERVISOR HALLINAN
6659C

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
October 25, 1993	$	November 1, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden	$	Kennedy Leal Maher Migden Shelley
	$	
Absent: Supervisor Shelley	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-93-28

Date Approved

Mayor

November 15, 1993

I hereby certify that the foregoing ordinance, not being signed by the Mayor within the time limit as set forth in Section 2.302 of the Charter, became effective without his approval in accordance with the provision of said Section 2.302 of the Charter.

John L. Taylor
Clerk

File No. 97-93-28

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(Smoking Prohibition)

AMENDING PART II, CHAPTER V OF THE SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE) BY ADDING ARTICLE 19E, CONSISTING OF SECTIONS 1009.5 THROUGH 1009.10, TO PROHIBIT SMOKING IN PLACES OF EMPLOYMENT AND CERTAIN PUBLICLY OWNED SPORTS ARENAS.

Note: The entire ordinance is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter V of the San Francisco Municipal Code (Health Code) is hereby amended by adding Article 19E, consisting of Sections 1009.5 through 1009.10 thereto, to read as follows:

ARTICLE 19E

PROHIBITING SMOKING IN PLACES OF EMPLOYMENT AND CERTAIN SPORTS ARENAS

SEC. 1009.5. PROHIBITION OF SMOKING IN PLACES OF EMPLOYMENT AND SPORTS ARENAS.

(a) No employer shall knowingly or intentionally permit, and no person shall engage in, the smoking of tobacco products in an enclosed space at a place of employment.

(b) No owner, manager, or operator of a sports arena or stadium shall knowingly or intentionally permit, and no person on the premises shall engage in, the smoking of tobacco products in any enclosed or open space at a sports arena or stadium except in (1) concourses and ramps outside seating areas, (2) private

suites and corridors to private suites, and (3) areas designated for parking. Any portion of a sports arena or stadium used as a bar or restaurant shall be subject to the provisions of this Article governing bars and restaurants as "places of employment." For purposes of this section a sports arena or stadium means a publicly owned facility which has a seating capacity of at least 30,000 people.

(c) For purposes of this section:

(1) Except as otherwise provided in this Section, the terms "employer" and "employee" shall have the same meaning as the construction given those terms in Labor Code Sections 6304 and 6304.1.

(2) "Place of employment" means any place, and the premises appurtenant thereto, where employment is carried on. "Place of employment" shall not include:

(A) That portion of any hotel or motel lobby designated for smoking, provided that no hotel or motel shall designate more than 25% of any lobby for smoking, and provided further that no hotel or motel shall permit smoking in any room used for exhibit space;

(B) Hotel and motel guest room accommodations designated as smoking rooms, provided that hotels and motels shall designate at least 35% of the guest rooms as non-smoking;

(C) Facilities used to conduct charity bingo games pursuant to Penal Code Section 326.5 during such times

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that persons are assembled in the facility in connection with such games;

(D) Banquet rooms in use for private social functions;

(E) Bars. A "bar" means an area which is devoted to the serving of alcoholic beverages for consumption by patrons on the premises and in which the serving of food is only incidental to the consumption of such beverages. If a restaurant contains a bar, that portion that constitutes the bar shall not be considered a place of employment under this ordinance.

(F) Private homes.

11/8/93 (G) Any store that engages exclusively in the sale of tobacco and tobacco related products and any portion of any store devoted exclusively to the sale of tobacco and tobacco related products.

ejp

(d) For purposes of this section, an employer who permits any nonemployee access to his or her place of employment on a regular basis has not acted knowingly or intentionally if he or she has taken the following reasonable steps to prevent smoking by a nonemployee:

(1) Posted clear and prominent "No Smoking" signs at each entrance to the workplace premises.

(2) Has requested, when appropriate, that a nonemployee who is smoking refrain from smoking in the enclosed workplace.

For purposes of this subsection, "reasonable steps" shall

not include the physical ejectment of a nonemployee from the place of employment.

(e) For purposes of this section, the owner, manager, or operator of a sports arena has not acted knowingly or intentionally if he or she has taken the reasonable steps described in subsection (d) to prevent smoking by a person on the premises who is not an employee of the owner, manager or operator.

(f) Insofar as this Article applies to actions or omissions involving smoking that are also governed by any other ordinance of the City and County of San Francisco, the provisions of this Article are intended to supersede any other provision; provided, however, that the provisions of this Article supersede such other provision only after the provisions of this Article that apply to such act or omission become operative. The intent of this Section is that the current ordinances regulating smoking continue to be enforced until the applicable provisions of this Article become operative.

SEC. 1009.6. HARDSHIP EXEMPTION FOR RESTAURANTS.

(a) Any owner or manager of a restaurant may apply to the Controller for an exemption from or modification of the requirements of this Article based on significant financial hardship caused by compliance with this Article. The applicant shall include all information required by the Controller. An application for exemption or modification shall be accompanied by a reasonable fee established by the Controller to cover the costs

required to process the application and make a determination. The Controller shall give the Department of Public Health an opportunity to present relevant information with respect to each application.

(b) The applicant shall have the burden of proof in establishing that this Article has created an unreasonable economic effect on the applicant's business and threatens the survival of the restaurant, and that this economic effect is not the result of seasonal fluctuations or other conditions unrelated to the requirements of this Article. The Controller shall act on the application pursuant to administrative regulations adopted by the Controller. The Controller shall not be required to conduct a hearing on the application. The Controller shall issue a decision in writing to the applicant and to any other person who has requested a copy.

(c) The decision of the Controller may be appealed within 15 days of the issuance of the decision to the Board of Permit Appeals by the applicant or by any person who deems that his or her interests or that the general public interest will be adversely affected by the decision. The Board of Permit Appeals may concur in, overrule or modify the Controller's decision. The provisions of Sections 8 through 16 of Part III of the San Francisco Municipal Code shall govern the appeal process.

(d) No exemptions or modifications shall be granted to any restaurant which has not been smokefree for a period of less than

six months. Notwithstanding any other provision of this Article, any restaurant which has been granted an exemption or modification from the requirements of this Article shall not permit smoking in more than 25% of the seating or floor space of the restaurant.

(e) Exemptions granted by the Controller or the Board of Permit Appeals shall be valid for a period not to exceed 12 months and may be renewed upon application to the Controller. Applications for renewal shall be subject to the same requirements and procedures as initial applications.

SEC. 1009.7. VIOLATIONS AND PENALTIES

(a) The Director of Public Health may enforce the provisions of this Article against violations by serving notice requiring the correction of any violation within a reasonable time specified by the Director. Upon the violator's failure to comply with the notice within the time period specified, (1) the Director may request the City Attorney to maintain an action for injunction to enforce the provisions of this Article and for assessment and recovery of a civil penalty for such violation and (2) the owner of the premises or the person with the right to possession and management of the property may maintain an action for injunctive relief to enforce the provisions of this Article and an action for damages. Damages may be awarded up to $500 a day for each day the the violation occurs or is permitted to continue. It is necessary to specify the amount of such damages

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because of the extreme difficulty that the owner or other authorized person would have in establishing injury based on lost business, lost productivity due to health injuries caused by tobacco smoke, and other costs arising because of the health problems created by smoking.

(b) Any person who violates or refuses to comply with the provisions of this Article, shall be liable for a civil penalty, not to exceed $500 for each day such violation is committed or permitted to continue, which penalty shall be assessed and recovered in a civil action brought in the name of the people of the City and County of San Francisco, by the City Attorney, in any court of competent jurisdiction. Any penalty assessed and recovered in a civil action brought pursuant to this Section shall be paid to the Treasurer of the City and County of San Francisco.

(c) In addition to any other penalty or provision regarding enforcement set forth in this Article, any violation of the prohibition set forth in this article is a misdemeanor punishable by a fine not to exceed two hundred and fifty dollars ($250) for a first violation, three hundred and fifty dollars ($350) for a second violation within one year, and six hundred dollars ($600) for a third and for each subsequent violation within one year.

SEC. 1009.8. DISCLAIMERS. In adopting and undertaking the enforcement of this ordinance, the City and County of San

Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SEC. 1009.9. SEVERABILITY. If any provision of this act or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision of application, and to this end the provisions of this act are severable.

SEC. 1009.10. OPERATIVE DATE. The provisions of this Article shall not be operative until February 1, 1994; provided, however, that with respect to restaurants, the provisions of this Article shall not be operative until January 1, 1995.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 8, 1993	November 15, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher
	Absent: Supervisors Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 118-93-8

NOV 18 1993
Date Approved

Mayor

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FILE NO. 35-93-3 ORDINANCE NO. 360-93

(Street Acceptance)

ACCEPTING ROADWAY, INCLUDING CURBS, OF PROGRESS STREET, NORTH OF WHITNEY YOUNG CIRCLE IN THE CITY VIEW SUBDIVISION PROJECT AREA.

Be it ordained by the people of the City and County of San Francisco:

SECTION 1. Pursuant to Department of Public Works Order No. 162,266 and Section 7.601 of the Charter, the roadway and curbs of the following designated street is hereby accepted by the City and County of San Francisco.

Progress Street - North of Whitney Young Circle

RECOMMENDED:

Director of Public Works

DESCRIPTION APPROVED:

City Engineer

APPROVED:

Chief Administrative Officer

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

November 1, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

November 8, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley

Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 35-93-3

NOV 18 1993

Date Approved

Mayor

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FILE NO. 97-93-56 ORDINANCE NO. 362-93

AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.117-35 THEREOF TO PROVIDE THAT PAYMENTS MADE BY THE CITY IN CONNECTION WITH THE CONSTRUCTION OF A NEW COURTHOUSE MAY BE PAID FROM THE COURTHOUSE CONSTRUCTION FUND.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10 of the San Francisco Administrative Code is hereby amended by amending Section 10.117-35 thereof to read as follows:

SEC. 10.117-35. COURTHOUSE CONSTRUCTION FUND. All funds collected pursuant to Resolution No. 713-92 of the Board of Supervisors of the City and County of San Francisco as authorized by Section 76238 of the California Government Code from surcharges on first filing fees, and all funds collected pursuant to Resolution No. 713-92 as authorized by Sections 76000 and 76100 of the California Government Code from penalty assessments in criminal and parking cases, shall be deposited into a special fund to be known as the "Courthouse Construction Fund" as provided in such Sections 76000, 76100 and 76238. Pursuant thereto, the monies in such fund, together with any interest earned thereon, are payable only for the purpose of assisting the City and County of San Francisco (the "City") ((by a request for proposals through the Chief Administrative Officer, administered

by the Real Estate Department,)) in the acquisition, rehabilitation, construction, and financing of courtrooms or of a courtroom building or buildings containing facilities necessary or incidental to the operation of the justice system at the time necessary therefor. In conjunction therewith, the monies in such fund, including interest, may be applied to pay or reimburse the City for any lease rental payments or debt service payments or any other costs and expenses incurred by the City in connection with any lease financing or other financing entered into for the purpose of acquiring, rehabilitating, or constructing courtrooms, a courthouse building or buildings or courtroom facilities as hereinabove described. Such payments may be applied, upon the recommendation of the Chief Administrative Officer, to the prepayment or early retirement of lease revenue bonds or any other type of indebtedness or obligation issued or executed and delivered for the foregoing purposes. The monies in such fund, including interest, may also be used to rehabilitate existing courtrooms or an existing courtroom building or buildings for other uses if new courtrooms or a courtroom building or buildings are acquired, constructed or financed, or to acquire, rehabilitate, construct or finance excess courtrooms or an excess courtroom building or buildings if such excess is anticipated to be needed at a later time. Should any such excess courtrooms or courtroom buildings be leased or rented for uses other than the operation of the justice system until such time as such excess

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courtrooms or excess courtroom building or buildings are needed for the operation of the justice system, any amounts received as lease or rental payments pursuant to this subdivision shall be deposited in the San Francisco "Courthouse Construction Fund."

The fund shall be maintained by the Controller's Office which shall record all receipts and expenditures. All funds shall be expended as jointly determined by the Courthouse Construction Fund Committee (consisting of the Presiding Judges of the Superior and Municipal Courts, the Executive Officer of the Superior Court and the Clerk of the Municipal Court), with the approval of the Board of Supervisors. Expenditures and encumbrances from this fund shall be subject to the budget and fiscal policies of the Charter and shall first be made for the purpose of a survey determining the need for courtroom facilities. Balances remaining in the "Courthouse Construction Fund" at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of

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Section 6.306 of the Charter, and shall be carried forward and accumulated in said fund for the purpose recited herein.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
DEPUTY CITY ATTORNEY

RECOMMENDED:

By: _____
CHIEF ADMINISTRATIVE OFFICER

By: _____
PRESIDING JUDGE, MUNICIPAL COURT

By: _____
PRESIDING JUDGE, SUPERIOR COURT

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
November 1, 1993	$	November 8, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	$	Kennedy Leal Migden Shelley
	$	
	$	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-93-56

NOV 18 1993
Date Approved

Frank M. Jordan
Mayor

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[Rent Ordinance]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTIONS 37.8 AND 37.11A THEREOF TO LIMIT THE AMOUNT OF RENT OVERPAYMENTS HEARING OFFICERS MAY REFUND TO TENANTS DUE TO NULL AND VOID RENT INCREASES, TO LIMIT THE AMOUNT TENANTS MAY RECOVER IN CIVIL ACTIONS FOR RENT OVERPAYMENTS RESULTING FROM NULL AND VOID RENT INCREASES AND THE EFFECTIVE DATE FROM WHICH SUCH OVERPAYMENTS CAN BE DETERMINED.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

SEC. 37.8. Arbitration of Rental Increase Adjustments.

(a) Authority of Board and Hearing Officers. In accordance with such guidelines as the Board shall establish, the Board and designated hearing officers shall have the authority to arbitrate rental increase adjustments and to administer the rent increase protest procedures with respect to RAP rental units as set forth in Chapter 32 of the San Francisco Administrative Code.

(b) Request for Arbitration.

(1) Landlords. Landlords who seek to impose rent increases which exceed the limitations set forth in Section 37.3(a) above must request an arbitration hearing as set forth in this section. The burden of proof is on the landlord.

(2) Tenants.

(A) Notwithstanding Section 37.3, tenants of non-RAP rental units and tenants of RAP rental units in areas designated on or after July 1, 1977 may request arbitration hearings where a landlord has substantially decreased services without a corresponding reduction in rent and/or has failed to perform ordinary repair and maintenance under state or local law and/or has failed to provide the tenant with a clear explanation of the current charges for gas and electricity passed through to the tenant and/or imposed a nonconforming rent increase which is null and void. The burden of proof is on the tenant.

(B) Tenants of RAP rental units in areas designated prior to July 1, 1977 may petition for a hearing where the landlord has noticed an increase which exceeds the limitations set forth in Section 32.73 of the San Francisco Administrative Code. After a vacancy has occurred in a RAP rental unit in said areas, a new tenant of said unit may petition for a hearing where the landlord has demanded and/or received a rent for that unit which exceeds the rent increase limitation set forth in Section 32.73 of the San Francisco Administrative Code. The burden of proof is on the landlord.

(c) Procedure for Landlord Petitioners.

(1) Filing. The request for arbitration must be filed on a petition form prescribed by the Board and shall be accompanied by such supporting material as the Board shall

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prescribe, including but not limited to, justification for the proposed rental increase.

(2) Filing Date. The petition must be filed prior to the mailing or delivering to the tenant or tenants legal notice of the rental increase exceeding the limitations as defined in Section 37.3.

(3) Effect of Timely Filing of Petition. Provided a completed petition is timely filed, that portion of the requested rental increase which exceeds the limitations set forth in Section 37.3 and has not been certified as a justifiable increase in accordance with Section 37.7 is inoperative until such time as the hearing officer makes findings of fact at the conclusion of the arbitration hearing.

(4) Notice to Parties. The Board shall calendar the petition for hearing before a designated hearing officer and shall give written notice of the date to the parties at least ten (10) days prior to the hearing.

(d) Procedure for Tenant Petitioners.

(1) Filing; Limitation. The request for arbitration must be filed on a petition form prescribed by the Board and must be accompanied by such supporting material as the Board shall prescribe, including but not limited to, a copy of the landlord's notice of rent increase. If the tenant petitioner has received certification findings regarding his rental unit in accordance with 37.7, such findings must accompany the petition. If the

tenant petitioner has received a notification from the Chief Administrative Officer with respect to base rent and amortization of a RAP loan, such notification must accompany the petition. Tenant petitions regarding the gas and electricity passthrough must be filed within one year of the effective date of the passthrough or within one year of the date the passthrough was required to be recalculated pursuant to rules and regulations promulgated by the Board.

(2) Notice to Parties. The Board shall calendar the petition for hearing before a designated hearing officer and shall give written notice of the date to the parties at least ten (10) days prior to the hearing. Responses to a petition for hearing may be submitted in writing.

(e) Hearings.

(1) Time of Hearing. The hearing must be held within forty-five (45) days of the filing of the petition. The level of housing services provided to tenants' rental units shall not be decreased during the period between the filing of the petition and the conclusion of the hearing.

(2) Consolidation. To the greatest extent possible, hearings with respect to a given building shall be consolidated.

(3) Conduct of Hearing. The hearing shall be conducted by a hearing officer designated by the Board. Both parties may offer such documents, testimony, written declarations or other evidence as may be pertinent to the proceedings. A record of the

proceedings must be maintained for purposes of appeal.

(4) Determination of the Hearing Officer: Rental Units. Based upon the evidence presented at the hearing and upon such relevant factors as the Board shall determine, the hearing officer shall make findings as to whether or not the landlord's proposed rental increase exceeding the limitations set forth in Section 37.3 is justified or whether or not the landlord has effected a rent increase through a reduction in services or has failed to perform ordinary repair and maintenance as required by state or local law. In making such findings, the hearing officer shall take into consideration the following factors:

(A) Increases or decreases in operating and maintenance expenses, including, but not limited to, real estate taxes, sewer service charges, janitorial service, refuse removal, elevator service, security system, and debt service; provided however, when a unit is purchased after the effective date of this ordinance, and this purchase occurs within two (2) years of the date of the previous purchase, consideration shall not be given to that portion of increased debt service which has resulted from a selling price which exceeds the seller's purchase price by more than the percentage increase in the "Consumer Price Index for All Urban Consumers for the San Francisco-Oakland Metropolitan Area, U.S. Department of Labor" between the date of previous purchase and the date of the current sale, plus the cost

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of capital improvements or rehabilitation work made or performed by the seller.

(B) The past history of increases in the rent for the unit and the comparison of the rent for the unit with rents for comparable units in the same general area.

(C) Any findings which have been made pursuant to Section 37.7 with respect to the unit.

(D) Failure to perform ordinary repair, replacement and maintenance in compliance with applicable state and local law.

(E) Any other such relevant factors as the Board shall specify in rules and regulations.

(5) Determination of the Hearing Officer: RAP Rental Units.

(A) Rap Rental units in RAP areas designated prior to July 1, 1977. The hearing officer shall make findings as to whether or not the noticed or proposed rental increase exceeds the rent increase limitations set forth in Section 32.73 of the San Francisco Administrative Code. In making such findings, the hearing officer shall apply the rent increase limitations set forth in Chapter 32 of the San Francisco Administrative Code and all rules and regulations promulgated pursuant thereto. The hearing officer shall consider the evidence presented at the hearing. The burden of proof shall be on the landlord.

(B) Rap rental units in RAP areas designated on or after July 1, 1977. The hearing officer shall make findings with

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respect to rent increases exceeding the limitations as set forth in Section 37.3 of this chapter. In making such findings, the hearing officer shall take into consideration the factors set forth in subsection (4) above and shall consider evidence presented at the hearing. The burden of proof is on the landlord.

(6) Findings of Fact. The hearing officer shall make written findings of fact, copies of which shall be mailed to the parties within 30 days of the hearing.

(7) Payment or Refund of Rents to Implement Arbitration Decision. Upon finding that all or any portion of the rent increase is or is not justified, or that any nonconforming rent increase is null and void, the hearing officer may order payment or refund of all or a portion of that cumulative amount within fifteen (15) days of the mailing of the findings of fact or may order the amount added to or offset against future rents; provided, however, that any such order shall be stayed if an appeal is timely filed by the aggrieved party. The hearing officer may order refunds of rent overpayments resulting from rent increases which are null and void for no more than the three-year period preceding the ((date)) month of the filing of a landlord or tenant petition, plus the period between the ((date)) month of filing and the date of the hearing officer's decision. In any case, calculation of rent overpayments and re-setting of the lawful base rent shall be based on a determination of the validity of all rent increases imposed since April 1, 1982, in

accordance with Sections 37.3(b)(5) and 37.3(a)(2) above.

(8) Finality of Hearing Officer's Decision. The decision of the hearing officer shall be final unless the Board vacates his decision on appeal.

(f) Appeals.

(1) Time and Manner. Any appeal to the Board from the determination of the hearing officer must be made within fifteen (15) calendar days of the mailing of the findings of fact unless such time limit is extended by the board upon a showing of good cause. The appeal shall be in writing and must state why appellant believes there was either error or abuse of discretion on the part of the hearing officer. The filing of an appeal will stay only that portion of any hearing officer's decision which permits payment, refund, offsetting or adding rent.

(2) Record on Appeal. Upon receipt of an appeal, the entire administrative record of the matter, including the appeal, shall be filed with the Board.

(3) Appeals. The Board shall, in its discretion, hear appeals. In deciding whether or not to hear a given appeal, the board shall consider, among other factors, fairness to the parties, hardship to either party, and promoting the policies and purposes of this chapter, in addition to any written comments submitted by the hearing officer whose decision is being challenged. The Board may also review other material from the administrative record of the matter as it deems necessary. A

vote of three (3) members shall be required in order for an appeal to be heard.

(4) Remand to Hearing Officer without Appeal Hearing. In those cases where the Board is able to determine on the basis of the documents before it that the hearing officer has erred, the board may remand the case for further hearing in accordance with its instructions without conducting an appeal hearing. Both parties shall be notified as to the time of the re-hearing, which shall be conducted within thirty (30) days of remanding by the board. In those cases where the board is able to determine on the basis of the documents before it that the hearing officer's findings contain numerical or clerical inaccuracies, or require clarification, the board may continue the hearing for purposes of re-referring the case to said hearing officer in order to correct the findings.

(5) Time of Appeal Hearing; Notice to Parties. Appeals accepted by the board shall be heard within forty-five (45) days of the filing of an appeal. Within thirty (30) days of the filing of an appeal, both parties shall be notified in writing as to whether or not the appeal has been accepted. If the appeal has been accepted, the notice shall state the time of the hearing and the nature of the hearing. Such notice must be mailed at least ten (10) days prior to the hearing.

(6) Appeal Hearing; Decision of the Board. At the appeal hearing, both appellant and respondent shall have an

opportunity to present oral testimony and written documents in support of their positions. After such hearing and after any further investigation which the board may deem necessary the board may, upon hearing the appeal, affirm, reverse or modify the hearing officer's decision or may remand the case for further hearing in accordance with its findings. The board's decision must be rendered within forty-five (45) days of the hearing and the parties must be notified of such decision.

(7) Notification of the Parties. In accordance with item (6) above, parties shall receive written notice of the decision. The notice shall state that this decision is final.

(8) Effective Date of Appeal Decisions. Appeal decisions are effective on the date mailed to the parties; provided, however, that that portion of any decision which orders payment, refund, offsetting or adding rent shall become effective thirty (30) calendar days after it is mailed to the parties unless a stay of execution is granted by a court of competent jurisdiction.

(9) Limitation of Actions. A landlord or tenant aggrieved by any decision of the Board must seek judicial review within ninety (90) calendar days of the date of mailing of the decision.

SEC. 37.11A. Civil Actions.

Whenever a landlord charges a tenant a rent which exceeds the limitations set forth in this chapter, or retaliates against

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a tenant for the exercise of any rights under this chapter, the tenant may institute a civil proceeding for money damages; provided, however, that any monetary award for rent overpayments resulting from a rent increase which is null and void pursuant to Section 37.3(b)(5) shall be limited to a refund of rent overpayments made during the three-year period preceding the ((date)) month of filing of the action, plus the period between the ((date)) month of filing and the date of the court's order. In any case, calculation of rent overpayments and re-setting of the lawful base rent shall be based on a determination of the validity of all rent increases imposed since April 1, 1982, in accordance with Sections 37.3(b)(5) and 37.3(a)(2) above. The prevailing party in any civil action brought under this section shall be entitled to recover reasonable attorneys' fees and costs. The remedy available under this section shall be in addition to any other existing remedies which may be available to the tenant.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Irene Dick
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 1, 1993	November 8, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley
	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
109-93-6

NOV 18 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 121-93-13.1 ORDINANCE NO. 364-93

[STALKING]

AMENDING CHAPTER VIII, PART II, ARTICLE 2 OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY ADDING SECTION 259.3 THERETO REQUIRING NOTICE TO POTENTIAL VICTIMS UPON RELEASE OF A STALKER.

Note: This section is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 2 of the San Francisco Police Code is amended by adding section 259.3 thereto reading as follows:

Sec. 259.3 NOTICE TO POTENTIAL VICTIMS OF STALKER.

(a) Whenever a person is to be released who has been arrested or detained for violating Penal Code section 647.9 (stalking) or convicted of violating Penal Code section 647.9, the custodial official making the release shall endeavor promptly to notify of the impending release any person who is a potential stalking victim of the individual to be released. Where feasible, the releasing authority shall give the notice required by this section at least five calendar days prior to the release by certified mail and by telephone. For the purpose of this ordinance, a person is a potential stalking victim of an individual where the individual has been previously arrested, or detained for violating Penal Code section 647.9 or convicted for violating Penal Code section 647.9 in connection with that person. In addition, a potential stalking victim shall include any person who has filed with the San Francisco

Supervisor Alioto, Kaufman, Conroy

BOARD OF SUPERVISORS

6281g

PAGE NO. 1

Police Department a written complaint of about stalking activities by the individual to be released directed at the complainant. In addition, a potential stalking victim shall include any person who the Police Department has reason to believe, based on evidence it has gathered or received, is a potential stalking victim of the individual to be released.

(b) In undertaking the enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

6281g

PAGE NO. 2
09/09/93

BOARD OF SUPERVISORS

NOV 8 1993
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 1, 1993	November 8, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley
	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
121-93-13.1

NOV 18 1993
Date Approved

Frank M. Jordan
Mayor

[Ground Lease of Property]

AUTHORIZING AND APPROVING EXECUTION OF A GROUND LEASE OF REAL PROPERTY, FOR A PORTION OF ASSESSOR'S BLOCKS 5731, 5732, 5733 AND 5734, AND A PORTION OF BRONTE STREET, BRADFORD STREET AND OGDEN AVENUE, ADJACENT TO PROPERTY COMMONLY KNOWN AS THE "FARMERS MARKET"

Be it ordained by the People of the City and County of San Francisco:

Section 1. In Resolution Nos. 153-91 and 283-91, the Board of Supervisors authorized and approved execution of a Disposition and Development Agreement ("DDA") by and between the City and County of San Francisco and Bernal Heights Community Foundation ("Bernal"). The DDA specifies the conditions under which the City would ground lease certain real property ("Property") to Bernal.

Section 2. The City and Boomerang Housing Corporation, a California nonprofit public benefit corporation, the successor to Bernal ("Developer") have subsequently negotiated a proposed ground lease agreement ("Lease").

Section 3. The proposed Lease is for a 99-year term, commencing on the "Close of Escrow," as defined in said Lease.

Section 4. The proposed Lease requires that the Property be used exclusively for the development and operation of affordable housing, as specifically defined in said Lease, and accompanying

uses.

Section 5. Rent for the Property shall be paid from "Surplus Cash," as defined in said Lease and as specified in Exhibit G to said Lease. No Rent is required to be paid for the first six years of the term of the proposed Lease.

Section 6. The Director of the Department of City Planning, pursuant to Section 3.527 of the City's Charter, has reviewed and approved the proposed lease transaction for conformity with the Master Plan and consistency with the eight priority policies of Planning Code Section 101.1. A copy of the Department of City Planning's findings are on file with the Clerk of the Board of Supervisors in File No. 65-93-8.1. The Board of Supervisors adopts as its own and incorporates herein, as if fully set forth, the findings made by the Department of City Planning.

Section 7. Developer has satisfied some of the conditions precedent to a proposed ground lease of the Property, as specified in the DDA and in Resolution No. 153-91. The most significant conditions required to be satisfied prior to the close of escrow of the proposed Lease are as follows:

1. Subdivision Approval. Section 2.04 of the DDA requires that the Developer apply for and diligently pursue approval of a subdivision or parcel map to subdivide the Property. City has determined that, pursuant to the provisions of the California Subdivision Map Act, a subdivision map is not required to allow the City to ground lease the Property to

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Developer. Rather, the Developer has applied to the Department of Public Works for a lot line adjustment, in accordance with procedures established by the Department of Public Works, in order to clarify the boundaries of the Property and allow the Property to be leased to Developer.

2. Street Vacation. Section 2.06 of the DDA requires the Developer to obtain all City approvals necessary for construction, ownership and operation of the housing development as a condition precedent to the close of the proposed ground lease. One such approval is the vacation of certain portions of unimproved streets located within the Property. The administrative and legislative process for street vacation has commenced, but the streets may not have been finally vacated at the time said Lease has been approved and executed. Section 5.2(a) of the proposed Lease provides that the Property may be ground leased to Developer prior to final vacation of the unimproved streets within the Property; however, this provision is subject to the strict requirement that the Developer in no way use, block or impair the use of the unimproved streets until those streets have been finally vacated.

3. Site Permits and/or Building Permit. Section 2.08 of the DDA requires the Developer to obtain a building permit for construction of the housing development as a condition precedent to the close of the proposed ground lease transaction. Developer has applied for a site permit to allow commencement of

construction. Developer may not have obtained the site permit at the time the proposed Lease has been approved and executed. Section 5.2(b) of the proposed Lease provides that the Property may be ground leased to Developer prior to obtaining any site and/or building permits; however, Developer may not commence any construction activities until it has obtained necessary permits.

Section 8. The Mayor, Chief Administrative Officer, Agricultural Commissioner and Director of the Mayor's Office of Housing are hereby authorized to execute the Lease in substantially the form of the copy on file with the Clerk of the Board of Supervisors in File No. 65-93-8.1.

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Section 9. The Director of the Mayor's Office of Housing and the Director of Property, in consultation with the City Attorney, is hereby authorized to make any amendments to said Lease and the terms of the exhibits attached thereto, including any "nonmaterial amendments" to said Lease, as defined in Section 28.5 of said Lease, so long as such changes and amendments do not materially affect the substance of said document or materially increase the obligations of the City, and to execute any documents necessary to effectuate the close of the proposed Lease transaction.

SUBMITTED:

Director of Property

RECOMMENDED:

Chief Administrative Officer

Agricultural Commissioner

Director, Mayor's Office of Housing

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading

November 8, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley

Noes: Supervisor Maher

Finally Passed

November 15, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal

Noes: Supervisor Maher

Absent: Supervisors Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
65-93-8.1

NOV 23 1993

Date Approved

Mayor

FILE NO. 45-93-74 ORDINANCE NO. 366-93

RO #93100

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ESPERANZA MARTINEZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $75,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Esperanza Martinez v. CITY AND COUNTY OF SAN FRANCISCO, et al., "United States District Court No. C93-1750 VRW, by the payment of $75,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

ANTHONY RIBERA
Chief of Police

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $75,000.00

SEP 29 1993

APPROVED:

SECRETARY
Police Commission

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 8, 1993	November 15, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher
Absent: Supervisor Maher	Absent: Supervisors Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-74

NOV 23 1993

Date Approved

Mayor

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FILE NO. 45-93-75 ORDINANCE NO. 367-93

[SETTLEMENT OF LAWSUIT] RO #93108

AUTHORIZATION SETTLEMENT OF LITIGATION OF ANGEL AND AMBER WEBB AGAINST CITY AND COUNTY OF SAN FRANCISCO FOR $16,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled Angel and Amber Webb v. City and County of San Francisco, et al., Superior Court No. 924-824, by the payment of $16,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

PUBLIC WORKS DEPARTMENT

JOHN E. CRIBBS, Director

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 90
309674 1450 $16,500.00

OCT 06 1993

8398G

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

November 8, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley

Absent: Supervisor Maher

Finally Passed

November 15, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher

Absent: Supervisors Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-75

NOV 23 1993

Date Approved

Mayor

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FILE NO. 45-93-76

ORDINANCE NO. 368-93

RO #93117

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MARY STUBBS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $28,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Mary Stubbs v. City and County of San Francisco, et al.," San Francisco Superior Court No. 931-306, by the payment of $28,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

JOHN E. CRIBBS
Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $28,000.00

OCT 13 1993

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 8, 1993	November 15, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher
Absent: Supervisor Maher	Absent: Supervisors Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-76

NOV 23 1993
Date Approved

Mayor

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FILE NO. 45-93-77 ORDINANCE NO. 369-93

RO #93120

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF YOLANDA CAZESSUS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $8,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City and County of San Francisco is hereby authorized to settle the action entitled "YOLANDA CAZESSUS V. CITY AND COUNTY OF SAN FRANCISCO, ET AL., Superior Court No. 943-135," by the payment of $8,000.00

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

JOHN E. CRIBBS, Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
4759N 309674 1450 $8,000.00

OCT 20 1993

APPROVED:

RUDOLF E. NOTHENBERG
Chief Administrative Officer

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco.

Passed for Second Reading	Finally Passed
November 8, 1993	November 15, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher
Absent: Supervisor Maher	Absent: Supervisors Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-77

NOV 23 1993
Date Approved

Mayor

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FILE NO. 46-93-15 ORDINANCE NO. 370-93

SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF PAUL ATTARD, ET AL., v. FLYER CORPORATION, ET AL., UPON RECEIPT OF $1,000.00 and COMPROMISE AND RELEASE OF LIEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 911904 entitled "Paul Attard, et al., Plaintiffs, v. Flyer Corporation, et al., Defendants" by acceptance of $1,000.00 and Compromise and Release from Paul Attard and releasing lien.

Section 2. Upon receipt of said $1,000.00 and Compromise and Release and appropriate paperwork the City Attorney is authorized to release said lien.

APPROVED AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By CLARE M. MURPHY
General Manager

11184/10

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 8, 1993	November 15, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher
Absent: Supervisor Maher	Absent: Supervisors Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 46-93-15

NOV 23 1993
Date Approved

Mayor

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As amended in committee
11/5/93

FILE NO. 101-93-24

ORDINANCE NO. 371-93

(Government Funding)

RO#93115
SA#45

kg
11/3

APPROPRIATING $2,211,922 FOR OTHER NON-PERSONAL SERVICES FOR SUPERIOR AND MUNICIPAL COURTS FOR FISCAL YEAR 1993-1994; PLACING ~~$328,000~~ $324,500 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-94 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	AMOUNT Debit	AMOUNT Credit
02-010	**Courthouse Construction Fund**		
10-00-00	Superior Court		
Project 001-01	Courthouse Temporary Construction		
GL301 (045690)	Unreserved Fund Balance	$2,211,922	
Project 008-01	Temporary Courtroom Space		
10-1900 (316117)	Other Non-Personal Services		$2,211,922
	TOTAL	$2,211,922	$2,211,922

kg
11/3

Section 2. Funds in the amount of ~~$328,000~~ 324,500 are hereby placed on reserve including $225,000 for asbestos abatement and removal and $103,000 for a contingency fund, to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

s:\pro\budget10sa45

FUNDS AVAILABLE:

CONTROLLER

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

November 8, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

November 15, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher

Absent: Supervisors Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-24

NOV 23 1993
Date Approved

Mayor

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[Sidewalk Display of Merchandise]

AMENDING ARTICLE 5.3 OF THE SAN FRANCISCO PUBLIC WORKS CODE BY DELETING SECTION 183 SUCH THAT THERE IS NO DISTINCTION IN PERMIT REQUIREMENTS BETWEEN FOOD AND NON-FOOD MERCHANDISE; AMENDING SECTION 183-1 TO PROHIBIT SIDEWALK DISPLAY STANDS IN AREAS DESIGNATED C-3 BY THE PLANNING CODE; AMENDING SECTION 183-2 TO REQUIRE PERMIT APPLICANTS TO POST NOTICE OF INTENT TO DISPLAY MERCHANDISE ON BUSINESS PREMISES; AMENDING SECTION 183-4 TO INCREASE THE FEES FOR PERMITS TO DISPLAY MERCHANDISE ON SIDEWALKS TO $100, TO ESTABLISH A NEW FEE OF A MINIMUM OF $4.80 PER SQUARE FOOT OF SIDEWALK OCCUPIED BY A DISPLAY STAND, TO MAKE SUCH PERMITS RENEWABLE ON AN ANNUAL BASIS, AND TO AUTHORIZE A PUBLIC HEARING WHEN WRITTEN OBJECTIONS ARE MADE; AMENDING SECTION 183-5 TO DIRECT THE DIRECTOR OF PUBLIC WORKS TO ADOPT GUIDELINES FOR CONFORMITY WITH STATE AND FEDERAL DISABILITY ACCESS STANDARDS; AMENDING SECTION 183-6 TO AUTHORIZE INVESTIGATION FEES FOR VIOLATION OF THIS ARTICLE; AMENDING SECTION 183-7 TO AUTHORIZE THE BOARD OF PERMIT APPEALS TO HEAR APPEALS OF PERMIT DECISIONS OF THE DIRECTOR OF PUBLIC WORKS; AND ADDING SECTION 183-8 TO AUTHORIZE SEIZURE OF DISPLAY STANDS MAINTAINED IN VIOLATION OF THIS ARTICLE.

Note: Additions or substitutions are <u>underlined;</u>
deletions are indicated by ((double)) parentheses.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Public Works Code is hereby amended by amending Section 183 to read as follows:

((SEC. 183. DESIGNATION OF SIDEWALK DISPLAY AREAS. (a) In addition to the area designated in Section 183-1 hereof the Board of Supervisors shall, upon recommendation of the Director of Public Works, consider for designation as sidewalk display areas locations wherein retail commercial activity is permitted under the Planning Code (hereinafter referred to as "commercial area(s)") and in which merchants desire to display nonfood merchandise in public sidewalk areas in front of business establishments. The Board of Supervisors may in its discretion then designate by resolution certain commercial areas as sidewalk display areas in which merchants may apply to the Director of Public Works for a permit to display nonfood merchandise on the public sidewalk immediately in front of their business establishment.

(b) A commercial area shall be deemed eligible for consideration as a sidewalk display area if, based on surveys and studies prepared at the direction of the Director of Public Works or his/her designee, objective criteria establish that there is a desire by the merchants and residents of the area to permit sidewalk displays of nonfood merchandise, that the sidewalks are sufficiently wide to accommodate such use without endangering public safety, that other commercial or industrial uses in the area are compatible with sidewalk displays and that sidewalk displays will not result in a significant increase in litter because of weather and wind conditions.

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13c) Upon receipt of a verified petition by merchants conducting business in 50 percent of the commercial businesses within the area proposed for designation, the Director of Public Works or his/her designee shall undertake or cause to be undertaken such surveys or studies as are deemed necessary to determine whether a commercial area is eligible for sidewalk displays.

Within 60 days of receipt of a petition the Director of Public Works or his/her designee shall notice as herein provided a public hearing or hearings in or as close to the commercial area as possible on the subject of eligibility of the commercial area under consideration for permission to establish sidewalk displays.

Notice of the public hearing or hearings provided for herein shall be published in the official newspaper of the City and County at least 10 days before the hearing date and circularized generally in the neighborhood. The notice shall clearly state the purpose, time and location of the hearing and the boundaries tentatively considered for the proposed sidewalk display area. During such hearing or hearings any interested person shall be entitled to appear and be heard, subject to appropriate rules of order adopted by the Director of Public Works.

(d) Within 30 days of the completion of the hearing or hearings the Director of Public Works shall recommend by written report to the Board of Supervisors, based on the record of such hearing or hearings and the surveys and studies performed, whether

to designate the commercial area under study as a side-walk display area.

(e) The designation process and designation criteria set forth in this Article shall also be utilized by the Director of Public Works and the Board of Supervisors in determining whether to remove designation as a sidewalk display area from a particular commercial area.))

SEC. 183((-1)). AUTHORITY TO ISSUE PERMITS. (((a) The Director of Public Works is hereby authorized and empowered to issue revocable permits for the placement of stands for the purpose of display of nonfood merchandise in public sidewalk area in front of business establishments in the areas designated by the Board of Supervisors pursuant to Section 183 of this Article and within the area bonded by the following: east of the east line of Hyde Street, north of the north line of Bush Street, west of the west line of Montgomery Street and south of the south line of Jefferson Street.))

(((b)))<u>(a)</u> The Director of Public Works is ((further)) <u>hereby</u> authorized and empowered to issue revocable permits for the placement of display stands used for the purpose of displaying fruits, vegetables, living plants ((and)), cut flowers <u>and non food merchandise</u> in any area in public sidewalk areas contiguous to business establishments in locations wherein retail commercial activity is permitted under the Planning Code <u>except for those areas designated C-3 pursuant to Section 210.3 of the Planning Code</u>.

(((c)))<u>(b)</u> In determining the issuance of permits pursuant to

Subsection "a" ((and "b")) above, the Director of Public Works shall consider the convenience and necessity of pedestrians, property owners, occupants, tenants, or of offices, stores, or shops in the vicinity, the dimensions of the public sidewalk areas, the location of nearby fire hydrants, bus shelters and stops, newspaper racks and similar factors, and shall further consider the commercial or residential character of the neighborhood and the impact of the proposed display on adjacent residential properties. The Director of Public Works shall forward all applications for the sidewalk display of fruits and vegetables ((or nonfood merchandise)) to ((both the Police Department and)) the Department of Public Health for ((their)) its review and comments prior to the issuance of permits and shall forward all applications for the sidewalk display of nonfood merchandise to the Police Department for its review and comments prior to the issuance of permits.

SEC. 183-((2))1. APPLICATION FOR PERMITS; NOTICE OF INTENT TO DISPLAY MERCHANDISE.

(a) Each application for a permit to place displays of fruits and vegetables or nonfood merchandise adjacent to a business establishment and each application to amend a permit previously issued hereunder shall state the name and address of the applicant and business nature of the establishment, a physical description of the sidewalk and of the portion of the sidewalk proposed to be occupied, the general category of items to be displayed, and a description of the display stand, including size and building

materials used or to be used.

(b) The Department of Public Works shall provide a form entitled "Notice of Intent to Display Merchandise" to each applicant. It shall include the applicant's name, a brief description of the merchandise to be displayed and the proposed display stand configuration. It shall also include the following provision: "A public hearing by the Director of Public Works on the issuance of the permit will be held only if written objections are submitted to the Director of Public Works within 10 calendar days of the date the Notice of Intent to Display Merchandise was posted". The Notice of Intent shall be posted in a conspicuous location in a window or other readily visible location on the frontage of the applicant's business establishment for 10 calendar days. It shall be clearly visible from the public sidewalk, alley, or street and not obstructed by awnings, landscaping or other impediments to visibility.

SEC. 183-((3))2. INVESTIGATION AND INSPECTION - RULES AND REGULATIONS. The Director of Public Works or his/her designee shall make all investigations and inspections necessary to the issuance of permits and shall have the power and authority to adopt and enforce such rules and regulations necessary for the protection of the public interest. SEC. 183-((4))3. PERMIT: APPLICATION, PUBLIC HEARING, FEES, TERM, DISPLAY OF PERMIT.

(a) No owner or operator of a business establishment shall occupy any portion of a public sidewalk with stands for the display

of fruits and vegetables or nonfood merchandise without first obtaining a permit to do so in accordance with the provisions of Section 183-((2))1 of this Article. The permit application shall be on a form provided by the Department of Public Works, which form shall include the following provision: "The applicant hereby affirms that the applicant is not prohibited by any lease or rental agreement from locating a display on the sidewalk adjacent to applicant's place of business". Each application for a permit or an amendment to a permit shall be signed under penalty of perjury and must be accompanied by a check or money order in the amount of ((($50)) $100 payable to the Department of Public Works of the City and County of San Francisco. In addition, a permit fee of a minimum of $4.80 for each square foot of sidewalk to be occupied by display stands authorized by the permit shall be collected from each applicant by the Department of Public Works at the time the permit is issued.

(b) No later than 21 days after the 10 calendar day display period has expired, the Director of Public Works or his/her designee shall hold a public hearing on issuance of permits for which written objections have been timely received. At least 10 days prior to the date of the hearing, notice of said hearing shall be mailed to the applicant and all persons who have submitted written objections to the Director of Public Works. In the event that written objections are submitted by standardized or duplicate forms, one person submitting such objections shall be designated by the written

objection to receive notice of the public hearing. Such notice shall clearly state the date, time, place and purpose of the hearing. Upon receipt, the applicant shall post a true and correct copy of said notice in a conspicuous location in a window or other readily visible location on the frontage of the applicant's business establishment. It shall be clearly visible from the public sidewalk, alley, or street and not obstructed by awnings, landscaping or other impediments to visibility.

During such hearing or hearings, any interested person shall have an opportunity to be heard, subject to any rules of procedure adopted by the Director of Public Works.

(c) Within 15 days of the completion of the hearing or hearings, the Director of Public Works shall issue a written decision as to whether the permit shall be issued and what conditions, if any, in addition to those provided for in this section shall be imposed. Said decision shall be mailed to the applicant.

(d) A permit issued pursuant hereto shall remain valid until revoked, ((or)) until such time as the applicant no longer owns or operates said business establishment, until the time period for which the permit shall remain valid, as determined by the Director of Public Works, has expired, or until one (1) year from the date the permit was issued, whichever occurs earlier. Said permit shall be displayed in a conspicuous ((manner as determined by the Director of Public Works)) location in a window or other readily visible

location on the frontage of the applicant's business establishment. It shall be clearly visible from the public sidewalk, alley, or street and not obstructed by awnings, landscaping or other impediments to visibility.

SEC. 183-((5))4. CONDITIONS AND RESTRICTIONS. The issuance of permits and the maintenance of stands for display of fruits and vegetables or nonfood merchandise in front of business establishments by the permittee shall be subject to the following conditions and restrictions as well as such other conditions and restrictions as may be imposed by the Director of Public Works or his/her designee:

(a) Stands for the display of fruits and vegetables or nonfood merchandise shall be confined to an area approved by the Director of Public Works.

(b) The fruits and vegetables or nonfood merchandise displayed on the sidewalk shall be the same as displayed for sale on the premises in the business operated by the permittee.

(c) Fruits, vegetables or nonfood merchandise shall be displayed on a stand approved by the Director of Public Works or his/her designee.

(d) The display stands((ards, including merchandise,)) permitted by this section shall be a minimum of 2-1/2 feet and a maximum of six feet above the sidewalk, and shall extend into the sidewalk no more than 24 inches or 25 percent of the width, whichever is less, from the front of the building. ((; provided,

however, that fruits and vegetables shall not be displayed lower than 2-1/2 feet above the sidewalk.)) All display stands shall meet the guidelines established by the Director of Public Works for compliance with the disability access standards of the Americans with Disabilities Act (ADA) and Part II of Title 24 of the California Code of Regulations.

(e) All fruits and vegetables shall be protected by an awning.

(f) All display stands shall be promptly removed from the sidewalk at the end of each business day.

(g) The permittee shall maintain the sidewalk in a clean condition at all times.

(h) The permittee shall keep the sidewalk area not occupied by the display stand free of obstructions at all times.

(i) There shall be no liability on the City or upon any of its officers, agents or employees for any damage sustained by the permittee from any cause arising out of permitted activities. Furthermore, the permittee shall agree to indemnify, defend and hold harmless the City and County, its officers and employees from any liability arising out of permitted activities.

(j) Each permittee shall, at his own expense, maintain in full force and effect an insurance policy or policies issued by an insurance company or companies satisfactory to the City's Controller and Director of Public Works. Policy or policies shall afford liability insurance in an amount not less than $1,000,000 covering all operations, including, but not limited to, premises, products,

personal injuries and property damage or a combination of such injuries. Said policy or policies shall include the City and County of San Francisco and its officers and employees jointly and severally as additional insureds and shall apply as primary insurance and shall stipulate that no other insurance effected by the City and County of San Francisco will be called on to contribute to a loss covered hereunder. Said policy or policies shall provide 30 days notice to Controller, City and County of San Francisco, Room 109, City Hall, and the Director of Public Works, Room 260, City Hall, if the policy or policies should be cancelled or materially changed.

(k) Any assignment or sale of a permit issued under this Article is prohibited.

(l) Sidewalk areas shall not be painted, landscaped or altered in any way without prior written approval of the Department of Public Works.

(m) A permit issued under this Article does not constitute a deed or grant of an easement by the City and is revocable at any time at the will of the Director of Public Works or the Board of Supervisors.

SEC. 183-((6))5. PENALTIES; INVESTIGATION FEES: DISPLAY STANDS WITHOUT OR IN VIOLATION OF A VALID PERMIT; APPEALS.

(a) Any person violating the provisions of this Section shall be guilty of an infraction. Every violation determined to be an infraction is punishable by (1) a fine not exceeding $100 for a

first violation; (2) a fine not exceeding $200 for a second violation within one year; (3) a fine not exceeding $500 and revocation of the permittee's license issued pursuant to Section 183-2 of this Article for a third violation within one year.

In addition, fines may be imposed by the Department of Public Works for investigation of display stands being maintained without or in violation of a valid permit. The Director of Public Works shall establish a schedule of such fees. Payment of the fees shall be directly to the Department of Public Works.

The person responsible for payment of the fee may appeal the amount of the investigation fee to the Board of Permit Appeals, subject to its filing fees and rules.

(b) The nonpayment of such fee or fine, or the continued existence of a condition in violation of this section, shall be grounds for the Director of Public Works to deny a permit for display stands to the responsible owner or applicant until such penalty has been paid and the condition corrected.

SEC. 183-((7))6. ((DENIAL OF PERMIT)) APPEAL OF DIRECTOR'S DECISION. ((Upon denial)) Any decision on an application for a permit ((by the Director of Public Works, an applicant may file a notice of appeal)) pursuant to this section, may be appealed to the Board of Permit Appeals within fifteen (15) days of the issuance of a decision by the Director of Public Works.

SEC. 183-7. REMOVAL OF DISPLAY STANDS. Any display stands placed in the public sidewalk without a validly issued permit may be

seized and removed pursuant to this section. Before any display stands are seized, the owner or operator of the business establishment fronting on the sidewalk from which the display stands are to be removed shall be given ten (10) business days in which to apply for a valid permit. If the responsible party does not make a good faith effort to submit a permit application pursuant to Section 183-2 herein within the time prescribed, the display stands may be seized and removed from their sidewalk location by the City.

Seized display stands shall be retained by the City and County and may be recovered by the responsible person for a period of at least ten (10) business days following seizure. As a condition of recovering any display stands seized pursuant to this section, the person responsible for such display stands shall pay an impound fee equal to the actual cost to the City of transporting and storing such display stands.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

BY: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 8, 1993	November 15, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher
	Absent: Supervisors Migden Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
123-93-7

NOV 23 1993
Date Approved

_____
Mayor

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FILE NO. 101-93-27
(Government Funding)

ORDINANCE NO. 373-93
RO# 93133
SA#51

APPROPRIATING $300,000 FOR CAPITAL IMPROVEMENTS, DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1993-94; AN EMERGENCY MEASURE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. **Funds are hereby appropriated for FY 1993-1994 as follows:**

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-00-00	General Fund Unallocated		
GL316 (000026)	Reserve for Emergency Appropriation	$300,000	
90-06-00	Department of Public Works		
20-2030(778175)	Capital Improvement Project		
	Telegraph Hill Rockfall Remediation		$300,000
	Total	$300,000	$300,000

Section 2. This ordinance is passed as an emergency measure and the Board of Supervisors does hereby declare by the vote by which this ordinance is passed that an actual emergency exists which necessitates that the ordinance be made effective forewith. The emergency arises because weathered and fractured rocks and fissures on Telegraph Hill at Kearny and Chestnut Street, which the City has been maintaining, threaten to cause rockslides and rockfalls during the coming rainy season. Funds are immediately required so that the City can design and construct a rockfall barrier/ catchment fence before the rainy season arrives to preserve and protect lives and property from a slide or rockfall.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

Qprobudget00sa#51

BOARD OF SUPERVISORS

Passed as an Emergency Measure
Board of Supervisors, San Francisco November 22, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kennedy Leal Maher Migden Shelley

Excused [redacted]: Supervisor Kaufman

I hereby certify that the foregoing ordinance was passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-93-27

NOV 24 1993
Date Approved

[signature]
Mayor

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FILE NO. 34-93-5 ORDINANCE NO. 374-93

AMENDING ORDINANCE NO. 1061 ENTITLED "REGULATING THE WIDTH OF SIDEWALKS" BY ADDING THERETO SECTION 1512 CHANGING THE OFFICIAL WIDTH OF SIDEWALK ON THE WEST SIDE OF NINETEENTH AVENUE BETWEEN EUCALYPTUS DRIVE AND WINSTON DRIVE AS SHOWN ON THE DEPARTMENT OF PUBLIC WORKS MAP NUMBERED Q-20-416, AND MAKING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be it ordained by the people of the City and County of San Francisco:

SECTION 1. Ordinance No. 1061 entitled "Regulating the Width of Sidewalks", be and is hereby amended in accordance with communication filed in the office of the Clerk of the Board of Supervisors, by adding thereto a new section to be numbered as follows:

Section 1512. The width of sidewalk on the west side of Nineteenth Avenue between Eucalyptus Drive and Winston Drive as shown on Department of Public Works Map Q-20-416.

SECTION 2. The Department of City Planning in its report dated August 9, 1993, declared that the above-described change of official sidewalk width is in conformity with the Master Plan, and made findings of consistency with the Eight Priority Policies of City Planning Code Section 101.1.

The San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth in findings made by the Department of City Planning, by its letter dated August 9, 1993, that the project intended by the proposed change of official sidewalk width is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

The Utilities Engineer Bureau, as is necessary as a result of this Ordinance, shall make arrangement with public utility companies and City departments for the relocation and/or adjustment of their facilities in the affected sidewalk and street areas.

RECOMMENDED:

Director of Public Works

DESCRIPTION APPROVED:

City Engineer

APPROVED:

Chief Administrative Officer

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By

Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
November 15, 1993	§	November 22, 1993
	§	
	§	
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher	§	Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley
	§	
Absent: Supervisors Migden Shelley	§	Absent: Supervisors Bierman Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
34-93-5

DEC 2 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 34-93-6 ORDINANCE NO. 375-93

AMENDING ORDINANCE NO. 1061 ENTITLED "REGULATING THE WIDTH OF SIDEWALKS" BY ADDING THERETO SECTION 1513 CHANGING THE OFFICIAL WIDTH OF SIDEWALK ON THE EAST SIDE OF NINETEENTH AVENUE AT HOLLOWAY AVENUE AS SHOWN ON THE DEPARTMENT OF PUBLIC WORKS MAP NUMBERED Q-20-415, AND MAKING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be it ordained by the people of the City and County of San Francisco:

SECTION 1. Ordinance No. 1061 entitled "Regulating the Width of Sidewalks", be and is hereby amended in accordance with communication filed in the office of the Clerk of the Board of Supervisors, by adding thereto a new section to be numbered as follows:

Section 1513. The width of sidewalk on the east side of Nineteenth Avenue at Holloway Avenue as shown on Department of Public Works Map Q-20-415.

SECTION 2. The Department of City Planning in its report dated August 9, 1993, declared that the above-described change of official sidewalk width is in conformity with the Master Plan, and made findings of consistency with the Eight Priority Policies of City Planning Code Section 101.1.

The San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth in findings made by the Department of City Planning, by its letter dated August 9, 1993, that the project intended by the proposed change of official sidewalk width is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

The Utilities Engineer Bureau, as is necessary as a result of this Ordinance, shall make arrangement with public utility companies and City departments for the relocation and/or adjustment of their facilities in the affected sidewalk and street areas.

RECOMMENDED:
Director of Public Works

DESCRIPTION APPROVED:
City Engineer

APPROVED:
Chief Administrative Officer

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY
By Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
November 15, 1993	$	November 22, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher	$	Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley
	$	
Absent: Supervisors Migden Shelley	$	Absent: Supervisors Bierman Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
34-93-6

DEC 2 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 52-93-2 ORDINANCE NO. 376-93

(Underground District)

CREATING AN UNDERGROUND DISTRICT IN THE VICINITY OF TENTH AND HARRISON STREETS

NOTE: This entire Section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors hereby creates the following underground district:

Underground District No. 319

District covering Harrison Street from the southerly line of 10th Street to the northerly line of 11th Street

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead electric facilities in and around streets and rights of way extensively used by the general public for pedestrian and vehicular purposes. This action was requested by property owners in the proposed district.

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be

completed in accordance with the Department of Public Works' program requirements. Said work shall be commenced and completed at such times established by the Department of Public Works.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
Deputy City Attorney

DESCRIPTION APPROVED

City Engineer

RECOMMENDED:

Director of Public Works

Chief Administrative Officer

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
November 15, 1993	§	November 22, 1993
	§	
	§	
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher	§	Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley
	§	
Absent: Supervisors Migden Shelley	§	Absent: Supervisors Bierman Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
52-93-2

DEC 2 1993
Date Approved

Frank M. Jordan
Mayor

Amendment of the Whole as further amended 11/15/93

FILE NO. 114-91-2

ORDINANCE NO. 377-93

(Automatic Sprinkler Systems - Existing High-Rise Buildings)

AMENDING PART II, CHAPTER 1, OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY AMENDING SECTION 1746 TO REQUIRE INSTALLATION OF AUTOMATIC SPRINKLER SYSTEMS IN EXISTING HIGH-RISE BUILDINGS EXCEPT FOR APARTMENT BUILDINGS, RESIDENTIAL HOTELS, AND MIXED-USE BUILDINGS CONTAINING AN R-1 OCCUPANCY; EFFECTIVE DATE.

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 1, of the San Francisco Municipal Code (Building Code) is hereby amended by amending Section 1746 thereof to read as follows:

Automatic Sprinkler Systems - Existing High-rise Buildings

Sec. 1746. (a) General. Regardless of any other provisions of these regulations, every existing high-rise building ((of Type II-N, Type III-N or Type V-N construction)) as defined in Section 1733 shall be provided with an approved sprinkler system conforming to ((NFPA 13)) Chapter 38. Existing high-rise buildings that are also qualified historical buildings as defined in California Health and Safety Code Section 18950 shall be provided with an approved automatic fire sprinkler system when and as required by the State Historical Building Code and need not comply with this section.

11/15/93 ejp

EXCEPTIONS: 1. An apartment house, condominium or other building used for "R-1" occupancy as defined in this Code, excluding tourist hotels as defined in Section 41.4(r) of the San Francisco Administrative Code.

2. A mixed-use occupancy building containing an R-1 occupancy.

The following additional requirements shall also apply:

1. A sprinkler control valve and a waterflow detecting device shall be provided at the lateral connection to the riser for each floor.

2. A separate and distinct supervisory signal shall be provided to indicate a condition that will impair the satisfactory operation of the sprinkler system. This shall include, but not be limited to, monitoring control valves, fire pump power supplies, and pump running conditions. Such supervisory signals shall be annunciated at a constantly attended building security control center; when that location is not under constant supervision by qualified personnel, the signal shall be transmitted to a remote monitoring station in accordance with NFPA 72, NFPA 72C, or NFPA 71.

Supervisors Hsieh, Shelley, Bierman

BOARD OF SUPERVISORS

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3. The minimum water supply requirement for the sprinkler system shall be determined without regard to inside hose stream demand.

4. Existing standpipes may be converted to sprinkler risers, provided that they are hydrostatically tested for 2 hours at not less than 50 psi in excess of the maximum pressure to be maintained in the system.

5. Additional hangers, braces, or other attachments for support of existing standpipes which have been converted in accordance with Exception 4 shall be provided if they are necessary to meet the requirements of NFPA 13. The installation of additional flexible fittings in such risers is not required.

6. Any type pipe which has been listed by an approved testing agency for use in automatic sprinkler installations may be used when installed in accordance with its listing limitations.

(b) Permissible omissions. The following features required in new high-rise buildings are not required in systems installed under the provisions of this Section:

1. Redundant fire pump;

2. Secondary on-site supply of water;

3. More than one fire department connection;

4. Connection of the system to two risers on each floor. Hydraulic calculations may consider all risers in service.

5. In an R-1 occupancy building, sprinklers in bathrooms and closets.

See Section 3804 for additional permissible sprinkler omissions.

(c) Effective Date. The effective date of this ordinance shall be February 15, 1994.

(d) Notification. Not later than 60 days after the effective date of this ordinance, the Superintendent shall notify in writing by certified mail the owner of each building within the scope of this Section. The notice shall contain a copy of this Section, a commentary on it, and a Notice of Intent form. The Notice of Intent shall be designed to elicit information regarding proposed water supply connections, pumps, risers, and existing partial sprinkler systems. The Notice of Intent shall include a tentative schedule for phasing the installation of the complete sprinkler system.

If a building within the scope of this Section is not discovered by the Superintendent until after the deadline for notification, the building owner shall be notified within 30 days of such discovery.

Failure to receive notification does not exempt a building owner from compliance with this Section.

(e) Authority of Superintendent. For the purpose of applying the provisions of this Section, the Superintendent, in consultation with the Chief of the Division of Fire Prevention and Investigation, shall have the authority to be flexible in the event of extenuating circumstances that may exist in an individual case and to do the following, but only when it is clearly evident that a reasonable degree of fire safety consistent with the public interest is provided:

1. Consider alternate protection based on nationally recognized standards, principles and tests, and generally recognized and well-established methods of fire protection;

2. Waive specific individual requirements if it can be shown that such requirements are not physically possible, require disproportionate effort, or pose an undue hardship with little increase in life safety and that a practical alternative cannot be provided; and

3. Grant necessary extensions of time when it can be shown that the specified time periods are not physically practical or pose an undue hardship. The granting of an extension of time

for compliance shall be based on the showing of good cause and subject to the filing of an acceptable, systematic, progressive plan of correction with the Superintendent.

(f) Appeal: Board of Examiners - High-Rise Sprinklers. There is hereby created a Board of Examiners ("Board") consisting of nine (9) members. The Board shall hear and determine appeals concerning the application of the requirements of this Section filed by the owner or the authorized agent of the owner of a building subject to the provisions of this Section.

Six of the members of the Board shall be the same persons and with the same terms as those appointed to the Board of Examiners pursuant to Section 204 of this Code. One member of the Board shall be a licensed plumbing contractor, and shall be the same person and with the same term as the plumbing contractor member of the Board of Examiners - Plumbing, appointed pursuant to Section 20.15 of the San Francisco Plumbing Code. The two additional members of the Board shall be a registered fire protection engineer and a representative of owners of buildings subject to the requirements of this Section, and shall be appointed by the Director of Public Works pursuant to the provisions of Section 204 of this Code. The following shall constitute ex-officio members of the Board, without vote and without compensation: The Chief of the Bureau of Fire

Prevention and Investigation, and the Superintendent of the Bureau of Building Inspection who shall act as Secretary of the Board.

To the extent they reasonably apply, the procedures set forth in Section 204 of this Code shall govern the proceedings of the Board.

(g) Implementation. The requirements stated in Paragraph (a) above shall be accomplished by the following steps. Failure to complete any step within the required time frame is a violation of this code, and the Superintendent shall have the power to abate the building in accordance with Section 203.

Step 1. Notice of Intent. The owner shall submit a properly completed, Bureau-provided Notice of Intent to the Superintendent not later than three years after the effective date of this ordinance.

EXCEPTION: No Notice of Intent is required if an approved sprinkler system is completed prior to the deadline above.

Step 2. Water supply. The owner shall install the system riser, including floor-control valves, and shall connect it to an approved automatic water supply not later than five years after the effective date of this ordinance. For purposes of

this paragraph, an automatic water supply shall consist of a connection to the public water works system and, if required by hydraulic analysis, installation of a fire pump.

Step 3. Piping and Sprinklers. The owner shall complete the sprinkler system, including required electrical monitoring, not later than twelve years after the effective date of this ordinance.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Judith A. Boyajian
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
November 15, 1993	§	November 22, 1993
	§	
	§	
Ayes: Supervisors Alioto Bierman Conroy Hsieh Kaufman Kennedy Leal Maher	§	Ayes: Supervisors Alioto Bierman Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley
	§	
Noes: Supervisor Hallinan	§	Noes: Supervisor Hallinan
	§	
Absent: Supervisors Migden Shelley	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
114-91-2

DEC 2 1993
Date Approved

Frank M. Jordan
Mayor

(Signs)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTION 305 TO PROHIBIT VARIANCES FROM THE SIZE OR HEIGHT REQUIREMENTS FOR SIGNS.

Note: Additions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Section 305 to read as follows:

SEC. 305. VARIANCES. (a) General. The Zoning Administrator shall hear and make determinations regarding applications for variances from the strict application of quantitative standards in this Code. He shall have power to grant only such variances as may be in harmony with the general purpose of intent of this Code and in accordance with the general and specific rules contained herein, and he shall have power to grant such variances only to the extent necessary to overcome such practical difficulty or unnecessary hardship as may be established in accordance with the provisions of this Section. No variance shall be granted in whole or in part which would have an effect substantially equivalent to a reclassification of property; or which would permit any use, any height or bulk of a building or structure, or any type <u>or size or height</u> of sign not

expressly permitted by the provisions of this Code for the district or districts in which the property in question is located; or which would grant a privilege for which a conditional use procedure is provided by this Code; or which would change a definition in this Code. The procedures for variances shall be as specified in this Section and in Section 306 through 306.5.

(b) Initiation. A variance action may be initiated by application of the owner, or authorized agent for the owner, of the property for which the variance is sought.

(c) Determination. The Zoning Administrator shall hold a hearing on the application, provided, however, that if the variance requested involves a deviation of less than 10 percent from the Code requirement, the Zoning Administrator may at his option either hold or not hold such a hearing. No variance shall be granted in whole or in part unless there exist, and the Zoning Administrator specifies in his findings as part of a written decision, facts sufficient to establish:

(1) There are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;

(2) That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
November 15, 1993	§	November 22, 1993
	§	
	§	
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher	§	Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley
	§	
Absent: Supervisors Migden Shelley	§	Absent: Supervisors Bierman Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
115-93-7

DEC 2 1993
Date Approved

Frank G. Jordan
Mayor

(3) That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

(4) That granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and

(5) That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the Master Plan.

Upon issuing his written decision either granting or denying the variance in whole or in part, the Zoning Administrator shall forthwith transmit a copy thereof to the applicant. The action of the Zoning Administrator shall be final and shall become effective 10 days after the date of his written decision except upon the filing of a valid appeal to the Board of Permit Appeals as provided in Section 308.2.

(d) Conditions. In granting any variance as provided herein, the Zoning Administrator, or the Board of Permit Appeals on appeal, shall specify the character and extent thereof, and shall also prescribe such conditions as are necessary to secure the objectives of this Code. Once any portion of the granted variance is utilized, all such specifications and conditions pertaining to such authorization shall become immediately operative. The violation of any specification or condition so imposed shall constitute a violation of this Code and may

constitute grounds for revocation of the variance. Such conditions may include time limits for exercise of the granted variance; otherwise, any exercise of such variance must commence within a reasonable time.

Section 2. The Board finds that this legislation is consistent with the priority policies set forth in City Planning Code §101.1, and agrees with and incorporates by reference the findings adopted by the City Planning Commission in Resolution No. 13561.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Judith A. Boyajian
Deputy City Attorney

L. R. Blazej
Lucian R. Blazej
Director of Planning

FILE NO. 124-93-6 ORDINANCE NO. 379-93

(PARKING AND TRAFFIC)

AMENDING PART II, CHAPTER XI, OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY AMENDING SECTIONS 38.B.1 and 71.B THEREOF, RELATING TO CURB PARKING REGULATION AT SPECIAL TRUCK LOADING AND YELLOW ZONES.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter XI, of the San Francisco Municipal Code (Traffic Code) is hereby amended by amending Section 38.B.1 as follows:

SEC. 38.B.1 CURB PARKING REGULATIONS - YELLOW ZONES - OUTSIDE METROPOLITAN TRAFFIC DISTRICT. No person shall stop, except for the purpose of loading or unloading passengers or freight, in a yellow curb marking outside the Metropolitan Traffic District between the hours of 8:00 a.m. and 6:00 p.m., or in such yellow curb marking where a longer period has been designated and signs posted apprising persons of such change, on any day except Sundays, in excess of a period of three minutes for passenger vehicles or 30 minutes for commercial vehicles. Passenger vehicles shall not be stopped in yellow zones under any circumstances between the hours specified or as extended except while the operator is in attendance.

The zones shall be posted with signs giving notice of

the stopping, standing and parking restrictions effective in the zone, and shall have parking meters permitting a maximum parking time of 30 minutes. Denomination of the coin or coins that shall be deposited in these parking meters, the parking time allowed following deposit of such coins, and the hours during which such deposits are required shall be those set for all other parking meters in the same parking meter area or areas.

Section 2. Part II, Chapter XI, of the San Francisco Municipal Code (Traffic Code) is hereby amended by amending Section 71b as follows:

SEC. 71b. VEHICLES OBSTRUCTING THE NORMAL FLOW OF TRAFFIC. Any vehicle parked or stopped in violation of Subdivision (a) of Section 32, ((Subdivision (b) of)) Section 38.B, Section 33.3, Section 33.3.1, Section 33.3.2 and Section 62A or Section 71 of this Article shall be deemed to be left standing on a street in an unusual position and obstructing the normal movement of traffic thereof. Any passenger vehicle parked or stopped in violation of Section 38.B.1 shall be deemed to be left standing on a street in an unusual position and obstructing the normal movement of traffic thereof. Any commercial vehicle parked or stopped in violation of Section 38.B.1 shall be deemed to be left standing in a street in an unusual position and obstructing the normal movement of traffic thereof upon the issuance of a second citation for violation of such Section within a 24-hour period.

BOARD OF SUPERVISORS

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APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
LAWRENCE A. WAYTE
Deputy City Attorney

RECOMMENDED:

_____
JOHN E. NEWLIN
Executive Director
Department of Parking and Traffic

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 15, 1993	November 22, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher	Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley
Absent: Supervisors Migden Shelley	Absent: Supervisors Bierman Hallinan

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
124-93-6

DEC. 2 1993
Date Approved

_____
Mayor

FILE NO. 101-93-29

Budget
ORDINANCE NO. 380-93

(Government Funding)

RO#93121
SA#43

APPROPRIATING $9,670,865 FOR SALARIES, MANDATORY FRINGE BENEFITS, OTHER NON-PERSONAL SERVICES, MATERIALS AND SUPPLIES, EQUIPMENT AND SERVICES OF OTHER DEPARTMENTS, FOR THE CREATION OF THREE HUNDRED FOURTEEN (314) POSITIONS AND DELETION OF TWO (2) POSITIONS FOR LAGUNA HONDA HOSPITAL FOR FISCAL YEAR 1993-1994, SUBJECT OF PREVIOUS BUDGETARY DENIAL AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000100	Public Health Tier 1 & 2	$1,284,128	
47-4700 (859330)	Contribution Transfer Out to 37-001, Laguna Honda Operating Fund, 85-00-00		$1,284,128
	TOTAL	$1,284,128	$1,284,128
37-001	**Laguna Honda Operating Fund**		
85-00-00	Laguna Honda Hospital		
97-9701 (180315)	Contribution Transfer In From 01-001 General Fund, 99-00-00	$1,284,128	
70-7619 (044602)	Medi-Cal (ADHC)	$142,500	
70-7602 (047316)	Medi-Cal	$8,244,237	
01-0010 (449231)	Permanent Salaries - Miscellaneous		$265,565
01-0010	Permanent Salaries - Nurses		$33,191
04-0600	Mandatory Fringe Benefits		$57,654
11-1300	Materials and Supplies		$5,831
10-1900	Non-Personal Services		$1,012
22-2200	Equipment		$6,836
30-3890	Miscellaneous Departments		$23,588
01-0010 (448274)	Permanent Salaries - Miscellaneous		$3,739,795
01-0050	Permanent Salaries - Nurses		$2,382,922
01-0120	Holiday Pay		$125,078
01-0180	Premium Pay		$42,336
04-0600	Mandatory Fringe Benefits		$1,630,799
11-1300	Materials and Supplies		$461,795
10-1900	Non-Personal Services		$127,825
30-3180	Building Repair		$3,000
30-3300	Light, Heat & Power		$110,000
30-3700	Workers Compensation		$183,278
30-3890	Miscellaneous Departments		$470,360
	TOTAL	$9,670,865	$9,670,865

Section 2. Funds are hereby appropriated for three hundred fourteen (314) positions created and two (2) positions deleted by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-93-11) as follows:

SUPERVISOR ALIOTO
BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

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Classification	Title	Rate	Created
Index Code 448274: Sub-Object 0010: Permanent Salaries - Misc.			
1244 A	Senior Personnel Analyst	1844B2242	1
1426 A	Senior Clerk Typist	1073B1298	2
1430 A	Transcriber Typist	1073B1298	1
1440 A	Medical Transcriber Typist	1141B1381	1
1662 A	Patient Accts. Asst. Supervisor	1336B1618	1
2140 A	Hospital Admin. Assistant	1740B2115	1
2210 A	Dentist	2793B3396	1
2220 A	Physician	2862B3479	3
2232 A	Sr. Physician Specialist	3313B4028	1
2302 A	Nursing Assistant	1226B1484	135
2312 A	Licensed Voc. Nurse	1304B1580	19
2424 A	X-Ray Laboratory Aide	1180B1429	1
2450 A	Pharmacist	1946B2365	1
2494 A	Staff Radiologic Technologist	1477B1791	1
2536 A	Respiratory Care Practitioner	1401B1698	1
2554 A	Therapy Aide	1336B1618	1
2586 A	Health Worker II	1067B1291	1
2587 A	Health Worker III	1169B1414	1
2588 A	Health Worker IV	1381B1674	5

Classification	Title	Rate	Created
Index Code 448274: Sub-Object 0010: Permanent Salaries - Misc.			
2593 A	Health Program Coordinator III	1853B2252	1
2604 A	Food Service Worker	899B1088	6
2606 A	Sr. Food Service Worker	943B1141	2
2624 A	Dietitian	1528B1853	1
2650 A	Assistant Cook	966B1169	2
2652 A	Baker	1273B1543	1
2736 A	Porter	984B1191	20
2740 A	Porter Supervisor	1191B1443	1
2760 A	Laundry Worker	908B1099	8
2770 A	Senior Laundry Worker	947B1147	1
2785 A	Assistant General Service Manager	1401B1698	1
2912 A	Senior Social Worker	1401B1698	1
2920 A	Medical Social Worker	1690B2053	3
2922 A	Sr. Medical Social Worker	1765B2145	2
7324 A	Beautician	1208B1463	1
7524 A	Institution Utility Worker	989B1197	1
	Total positions created in Sub-Object 0010		230

Classification	Title	Rate	Created
Index Code 448274; Sub-Object 0050; Permanent Salaries-Nurses			
2320 A	Registered Nurse	1942B2271	66
2322 A	Head Nurse	2354B3036	15
2324 A	Nursing Supervisor	2521B3251	2
2328 A	Nurse Practitioner	2188B2740	1
	Total positions created in Sub-Object 0050		84
	Grand Total of Positions Created		314

Classification	Title	Rate	Deleted
Index Code 448274; Sub-Object 0010; Permanent Salaries-Misc.			
2774 A	Senior Sewing Technician	1047B1267	1
2444 A	Clinical Lab Technician	1535B1862	1
	Total positions deleted		2

Section 3. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

Section 4. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

APPROVED:
CIVIL SERVICE COMMISSION

BY: _____
GENERAL MANAGER PERSONNEL

SAAPROBUDGET9694A3

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
November 22, 1993	$	December 6, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	$	Kennedy Leal Maher Migden
	$	
	$	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-29

DEC 16 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-93-30

(Government Funding)

Budget

ORDINANCE NO. 381-93

RO#93122
SA#43C

APPROPRIATING $5,267,018 FOR SALARIES, MANDATORY FRINGE BENEFITS, PROFESSIONAL SERVICES, MATERIALS AND SUPPLIES AND CAPITAL IMPROVEMENTS FOR THE CREATION OF FORTY TWO (42) POSITIONS AND THE DELETION OF TEN (10) POSITIONS AND RESCINDING $261,642 FOR SALARIES AND SERVICES OF OTHER DEPARTMENTS FOR SAN FRANCISCO GENERAL HOSPITAL, FISCAL YEAR 1993-1994, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN AND SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000100	Public Health Tier 1 & 2	$2,611,626	
47-4700 (876789)	Contribution Transfer Out to 36-001, Hospital Operating Fund, 86-00-00		$2,611,626
	Total	$2,611,626	$2,611,626
36-001	**Hospital Operating Fund**		
86-00-00	San Francisco General Hospital		
76-7672 (041061)	Medi-Cal	$992,545	
76-7671	Medicare	$660,694	
76-7675	Insurance	$175,566	
76-7677	Other Patient	$471,195	
99-9900 (238139)	Revenue Transfer In from 01-001, General Fund, 87-22-00	$93,750	
97-9701 (199471)	Contribution Transfer In from 01-001, General Fund, 97-00-00	$2,611,626	
01-0010 (443010)	Permanent Salaries - Miscellaneous		$1,374,139
01-0050	Permanent Salaries - Nurses		$693,980
01-0200	Temporary Salaries - Miscellaneous	$209,945	
01-0250	Temporary Salaries - Nurses		$42,911
04-0600 (443010)	Mandatory Fringe Benefits		$347,898
10-1000	Professional Services		$933,090
11-1300	Materials and Supplies		$1,675,000
30-0890	Miscellaneous Departments	$51,697	
20-2030 (460162)	Capital Improvement Project		
Project 804-01	Building 90/IC		$85,000
Project 812-01	Anesthesia/Cardiology		$75,000
Project 808-01	5M Remodel		$40,000
	Total	$5,267,018	$5,267,018

Section 2. Funds are hereby appropriated for forty two (42) positions created and ten (10) positions deleted by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-93-11) as follows:

SUPERVISOR ALIOTO
BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

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Classification	Title	Rate	Created
Index Code 443010 Sub-Object 0010			
1424 L	Clerk Typist	979B1185	2
1426 L	Senior Clerk Typist	1073B1298	3
1720 L	Data Entry Operator	895B1083	1
1811 L	Management Information System Specialist I	1291B1565	1
1932 L	Assistant Storekeeper	989B1197	1
2110 L	Medical Records Clerk	1109B1342	1
2119 L	Health Care Analyst	1626B1975	1
2230 L	Physician Specialist	3005B3653	11
2305 L	Psychiatric Technician	1323B1603	1
2390 L	Central Proc. Distr. Technician	1279B1550	1
2409 L	Pharmacy Technician	1457B1765	1
2494 L	Staff Radiologic Technologist	1477B1791	1
2548 L	Occupational Therapist	1782B2166	2
2555 L	Physical Therapist Assistant	1443B1748	2
2556 L	Physical Therapist	1782B2166	1
2586 L	Health Worker II	1067B1291	2
2846 L	Nutritionist	1731B2104	3
2920 L	Medical Social Worker	1690B2053	2
	Total positions created Sub-Object 0010; Index Code 443010		37

Classification	Title	Rate	Created
Index Code 443010 Sub-Object 0050			
2322 L	Head Nurse	2254B3036	2
2323 L	Clinical Nurse Specialist	2199B3034	1
2328 L	Nurse Practitioner	2188B2740	2
	Total positions created Sub-Object 0050; Index Code 443010		5
	Grand Total Positions Created		42

Classification	Title	Rate	Deleted
Index Code 443010 Sub-Object 0010			
1404 A	Clerk	943B1141	1
1428 A	Unit Clerk	1141B1381	2
2312 A	Licensed Vocational Nurse	1304B1580	7
	Grand Total Positions Deleted		10

Section 3 This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

Section 4. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

APPROVED:
CIVIL SERVICE COMMISSION

BY: _____
GENERAL MANAGER PERSONNEL

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden
	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-93-30

DEC 16 1993
Date Approved

_____
Mayor

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... as amended in committee 11/17/93

FILE NO. 101-93-31

ORDINANCE NO. 382-93

(Government Funding)

RO#93129
SA#43A&B

APPROPRIATING $4,134,768 FOR SALARIES, MANDATORY FRINGE BENEFITS, PROFESSIONAL AND OTHER CONTRACTUAL SERVICES, MATERIALS AND SUPPLIES, AND SERVICES OF OTHER DEPARTMENTS, FOR THE CREATION OF FORTY (40) POSITIONS AND THE DELETION OF FIVE (5) POSITIONS AND RESCINDING $89,002 FOR SALARIES FOR COMMUNITY MENTAL HEALTH FOR FISCAL YEAR 1993-1994, SUBJECT OF PREVIOUS BUDGETARY DENIAL AND PROVIDING FOR RATIFICATION OF ACTIONS PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000100	Public Health Tier 1 & 2	$3,827,016	
87-00-00	Mental Health & Substance Abuse Services		
76-7698 (048041)	Short Doyle Medi-Cal	$218,750	
49-4900 (918532)	Revenue Transfer Out to 36-001, Hospital Operating Fund, 86-00-00		$93,750
kg 11/17 01-0010 (730515)	Permanent Salaries - Miscellaneous		283,338 ~~$305,012~~
01-0050	Permanent Salaries - Nurses		$106,273
04-0600	Mandatory Fringe Benefits		$78,395
04-0710 (730515)	Other Fringe Benefits		$5,564
10-1010	Medical Services Contracts		$ 898,574
10-1010 (730390)	Medical Services Contracts		$37,000
10-1010 (730416)	Medical Services Contracts		$1,410,240
10-1010 (732180)	Medical Services Contracts		$333,826
kg 11/17 01-0010 (733907)	Permanent Salaries - Miscellaneous		596,157 ~~$574,483~~
01-0050	Permanent Salaries - Nurses		$28,380
01-0180	Premium Pay		$7,853
04-0600	Mandatory Fringe Benefits		$91,697
10-1000	Professional Services		$146,357
11-1300	Materials and Supplies		$10,583
30-3180	Building Maintenance		$1,027
30-3300	Light, Heat & Power		$2,600
30-3500	Printing & Reproduction-City		$2,946
30-3600	PUC-Admin Services		$208
01-0200	Temporary Salaries	$89,002	
	TOTAL	$4,134,768	$4,134,768

Section 2. Funds are hereby appropriated for Forty (40) positions created and Five (5) positions deleted by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-93-11 as follows:

SUPERVISOR ALIOTO

BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

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Classification	Title	Rate	Created
Index Code 730515: Sub-Object 0010			
1372 L	Special Assistant XIII	2252B2737	1
1426 L	Senior Clerk Typist	1073B1298	3
1444 L	Secretary I	1022B1237	1
kg 11/17 ~~2306 L~~	~~Sr. Psychiatric Orderly~~	~~1398B1682~~	~~1~~
2593 L	Health Prog. Coordinator III	1853B2252	1
2932 L	Sr. Psychiatric Social Worker	1765B2145	3
	Total positions created sub-object 0010; Index Code 730515		~~10~~ 9
Index Code 730515: Sub-Object 0050			
2320 L	Registered Nurse	1942B2271	1
2323 L	Clinical Nurse Specialist	2199B3034	2
	Total positions created sub-object 0050; Index Code 730515		3
Index Code 733907 Sub-Object 0010			
1424 L	Clerk Typist	979B1185	2
1426 L	Senior Clerk Typist	1073B1298	2
1430 ML	Transcriber Typist	1073B1298	1
1823 L	Sr. Administrative Analyst	1835B2230	1
1844 L	Sr. Management Assistant	1626B1975	1
2232 L	Sr. Physician Specialist	3313B4028	5
kg 11/17 2246 L	Asst. Director Clinical Services I	2199B2672	1
2454 L	Clinical Pharmacist	2252B2737	1

Classification	Title	Rate	Created
2574 L	Clinical Psychologist	1955B2377	3
2589 L	Health Program Coordinator I	1457B1765	1
2593 L	Health Program Coordinator III	1853B2252	1
2736 L	Porter	984B1191	1
2930 L	Psychiatric Social Worker	1690B2053	5
2932 L	Sr. Psychiatric Social Worker	1765B2145	1
2932 ML	Sr. Psychiatric Social Worker	1765B2145	1
2323 L	Clinical Nurse Specialist	2199B3034	1
kg 11/17	Total positions created sub-object 0010; Index Code 733907		~~27~~ 28
	Grand Total Positions Created		40

Classification	Title	Rate	Deleted
Index Code 730366 Sub-Object 0010			
1446 L	Secretary II	1185B1436	1
Index Code 732172 Sub-object 0010			
2305 L	Psychiatric Technician	1323B1603	1
2587 L	Health Worker III	1169B1414	1
	Total positions deleted in Index Code 732172		2

Classification	Title	Rate	Deleted
Index Code 730515 Sub-Object 0010			
1426 CL	Clerk Typist	979B1185	1
2548 L	Occupational Therapist	1782B2166	1
	Total positions deleted in Index Code 730515		2
	Grand Total Positions deleted		5

Section 3. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

Section 4. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

APPROVED:
CIVIL SERVICE COMMISSION

BY: _____
GENERAL MANAGER PERSONNEL

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

November 22, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Finally Passed

December 6, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden

Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-93-31

DEC 16 1993
Date Approved

_____
Mayor

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FILE NO. 101-93-32

ORDINANCE NO. 383-93

(Government Funding)

RO#93130
SA#43D

APPROPRIATING $1,507,840 FOR SALARIES, MANDATORY FRINGE BENEFITS, OTHER NON-PERSONAL SERVICES, MATERIALS AND SUPPLIES AND SERVICES OF OTHER DEPARTMENTS FOR THE CREATION OF TWENTY SEVEN (27) POSITIONS AND THE DELETION OF NINE (9) POSITIONS AND RESCINDING $41,675 FOR SALARIES AND MANDATORY FRINGE BENEFITS, GENERAL FUND, AND $51,697 FOR SALARIES AND FRINGE BENEFITS, WORK ORDER FUND, FOR THE DEPARTMENT OF COMMUNITY HEALTH SERVICES FOR FISCAL YEAR 1993-1994, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN AND SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000100	Public Health Tier 1 & 2	$1,328,218	
83-02-01	Health Care Centers		
75-7513 (053769)	Dental Fees	$7,917	
75-7516	Child Health Disability Program	$16,976	
75-7590	Miscellaneous Revenues	$46	
76-7601 (053769)	Patient Payments	$7,195	
76-7602	Medi-Cal	$103,534	
76-7603	Medi-Care	$1,064	
76-7635	Private Insurance	$1,215	

SUPERVISOR ALIOTO

BOARD OF SUPERVISORS

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
83-01-01	Administrative Services		
01-0010 (735555)	Permanent Salaries - Miscellaneous		$47,711
04-0600	Mandatory Fringe Benefits		$5,871
83-02-01	Health Care Centers		
01-0010 (734301)	Permanent Salaries - Miscellaneous		$432,242
01-0050	Permanent Salaries - Nurses		$300,694
01-0200	Temporary Salaries - Miscellaneous		$114,285
01-0250	Temporary Salaries - Nurses		$48,252
01-0180	Premium Pay		$11,092
04-0600	Mandatory Fringe Benefits		$161,544
04-0710	Other Mandatory Fringe Benefits - Nurses		$5,800
10-1900	Other Non-Personal Services		$8,056
11-1300	Materials and Supplies		$13,268
30-3180	Bldg. Maintenance		$150,000
83-02-02	Public Health Services		
01-0010 (735563)	Permanent Salaries - Miscellaneous		$43,177
04-0600	Mandatory Fringe Benefits - City Match		$2,058
83-03-00	AIDS Disease Control		
01-0010 (732461)	Permanent Salaries - Miscellaneous		$21,714
04-0600	Mandatory Fringe Benefits - City Match		$1,718

BOARD OF SUPERVISORS

DOCUMENTS DEPT.
SAN FRANCISCO

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
83-04-00	BEHS		
01-0010 (735589)	Permanent Salaries - Miscellaneous		$32,589
04-0600	Mandatory Fringe Benefits - City Match		$3,139
30-3890 (735589)	Misc. Departments		$36,302
83-05-01	TOXICS - MISC.		
01-0010 (735597)	Permanent Salaries - Miscellaneous		$57,806
04-0600	Mandatory Fringe Benefits - City Match		$10,522
83-05-02	TOXICS -EAP		
01-0010 (736280)	Permanent Salaries -Miscellaneous	$33,878	
04-0600	Mandatory Fringe Benefits - City Match	$7,797	
	Total General Fund	$1,507,840	$1,507,840
09-099	**Work Order Fund**		
83-01-07	Administrative Services		
01-0010 (733881)	Permanent Salaries - Miscellaneous	$42,583	
04-0600	Mandatory Fringe Benefits - City Match	$9,114	
39-3900 (942177)	Work Order Recovery		$51,697
	Total Work Order Fund	$51,697	$51,697

Section 2. Funds are hereby appropriated for twenty seven (27) positions created amd nine (9) positions deleted by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-93-1) as follows:

Classification	Title	Rate	Created
Index Code 735555 Sub-Object 0010			
1244 L	Sr. Personnel Analyst	1844B2242	1
Index Code 734301 Sub-Object 0010			
1372 S	Special Assistant	2252B2737	1
1424 L	Clerk Typist	979B1185	4
1428 L	Unit Clerk	1141B1381	1
2110 L	Medical Record Clerk	1109B1342	1
2202 L	Dental Aide	1237B1499	2
2210 L	Dentist	2793B3396	2
2230 L	Physician Specialist	3005B3653	1
2232 L	Sr. Physician Specialist	3313B4028	1
2585 L	Health Worker I	947B1147	1
2587 L	Health Worker III	1169B1414	1
2736 L	Porter	984B1191	1
	Total Positions Created Sub-Object 0010, Index Code 734301		16
Index Code 734301: Sub-Object 0050			
2320 L	Registered Nurse	1942B2271	3
2322 L	Head Nurse	2354B3036	1
2830 L	Public Health Nurse	2199B2752	1
	Total Positions Created Sub-Object 0050, Index Code 734301		5

Classification	Title	Rate	Created
Index Code 735563: Sub-Object 0010			
2494 L	Staff Radiologic Tech.	1477B1791	1
Index Code 732461: Sub-Object 0010			
2825 L	Sr. Health Educator	1862B2264	1
Index Code 735589: Sub-Object 0010			
6120 L	Environmental Health Inspector	1985B2412	1
Index Code 735597: Sub-Object 0010			
6120 L	Environmental Health Inspector	1985B2412	2
	Grand Total Positions Created		27

Classification	Title	Rate	Deleted
Index Code 735555: Sub-Object 0010			
1446 L	Secretary II	1185B1436	1
1840 S	Jr. Management Assistant	1255B1520	1
	Total positions deleted Index Code 735555; Sub-Object 0010		2
Index Code 734301: Sub-Object 0010			
2312 L	Licensed Vocational Nurse	1304B1580	1
Index Code 735563: Sub-Object 0010			
1426 L	Sr. Clerk Typist	1073B1298	1
2488 L	Public Health Asst. Toxicologist III	1899B2309	1
	Total positions deleted Index Code 735563, Sub-Object 0010		2

Classification	Title	Rate	Deleted
Index Code 732461: Sub-Object 0010			
1426 EL	Sr. Clerk Typist	1073B1298	1
Index Code 735589 Sub-Object 0010			
6108 L	Environmental Health Technician I	1323B1603	1
Index Code 736280: Sub-Object 0010			
1426 R	Sr. Clerk Typist	1073B1298	1
Index Code 733881: Sub-Object 0010			
1872 L	Programmer Analyst	1450B1756	1
	Grand Total Positions Deleted		9

Section 3. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

Section 4. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

APPROVED:
CIVIL SERVICE COMMISSION

BY: _____
GENERAL MANAGER PERSONNEL

BAA/PROBUDGE N0084430

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
November 22, 1993	§	December 6, 1993
	§	
	§	
Ayes: Supervisors Alioto Bierman	§	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	§	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	§	Kennedy Leal Maher Migden
	§	
	§	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-32

DEC 16 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 45-93-71 ORDINANCE NO. 384-93

RO #93093

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF BETH COSTELLA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $10,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Beth Costella v. City and County of San Francisco, et al.," San Francisco Superior Court No. 942-040, by the payment of $10,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

WAR MEMORIAL

THELMA SHELLEY
Managing Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

SEP 22 1993

01 001 97 09 46
309914 1450 $10,000.00

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
Absent: Supervisors Bierman Hallinan	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-71

DEC 16 1993

Date Approved

Mayor

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FILE NO. 45-93-78 ORDINANCE NO.: 385-93

RO #93125

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MARY P. EVANS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $15.000.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "MARY P. EVANS v. CITY AND COUNTY OF SAN FRANCISCO, et al.," San Francisco Superior Court No. 939-248, by the payment of $15,000.00.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:
SAN FRANCISCO POLICE DEPARTMENT

ANTHONY B. RIBERA
Chief

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $15,000.00

OCT 20 1993

APPROVED:
POLICE COMMISSION

SECRETARY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
Absent: Supervisors Bierman Hallinan	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-93-78

DEC 16 1993

Date Approved

Mayor

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FILE NO. 45-93-79 ORDINANCE NO. 386-93

RO $93124

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ROBERT ANDERSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $8,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ROBERT ANDERSON v. CITY AND COUNTY OF SAN FRANCISCO, et al.", Superior Court No. 917-933, by the payment of $8,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

ANTHONY RIBERA
Chief of Police

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $8,000.00

OCT 20 1993

APPROVED:

SECRETARY
Police Commission

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
Absent: Supervisors Bierman Hallinan	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-79

DEC 16 1993
Date Approved

Mayor

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FILE NO. 45-93-80 ORDINANCE NO. 387-93

RO #93132

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JOSEPH CATTOLICA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $35,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Joseph Cattolica v. City and County of San Francisco," Superior Court No. 938-992, by the payment of $35,000.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPT. OF PUBLIC WORKS

JOHN CRIBBS, Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

OCT 22 1993

01 001 97 09 90
309674 1450 $35,000.00

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

0164b/cw

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
Absent: Supervisors Bierman Hallinan	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-80

DEC 16 1993

Date Approved

Mayor

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FILE NO. 45-93-81 ORDINANCE NO. 388-93

RO#93131

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ALAN CHAN and WINNIE CHAN AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $27,896.20.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ALAN CHAN and WINNIE CHAN v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 940-953, by the payment of $27,896.20.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOHN E. CRIBBS, Director
Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $27,896.20

OCT 22 1993

APPROVED:

RUDOLPH NOTHENBERG
Chief Administrative Officer

4744N/bs

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
Absent: Supervisors Bierman Hallinan	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-93-81

DEC 16 1993
Date Approved

Mayor

FILE NO. 45-93-82 ORDINANCE NO. 389-93

RO #93134

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF FLORA QUOCK, ET AL. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $40,000 AND INJUNCTIVE RELIEF ESTIMATED AT $10,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Flora Quock, et al. v. City and County of San Francisco," San Francisco Superior Court No. 923-290, by the payment of $40,000 and injunctive relief estimated at $10,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PARKING & TRAFFIC

JOHN NEWLIN
Executive Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

OCT 27 1993

01 001 97 09 36
310177 1450 $40,000.00

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
Absent: Supervisors Bierman Hallinan	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-82

DEC 16 1993
Date Approved

Mayor

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FILE NO. 52-93-1 ORDINANCE NO. 390-93

(Underground District)

AMENDING ORDINANCE NO. 367-92 TO REDEFINE UNDERGROUND DISTRICT NO. 318 IN THE DOLORES HEIGHTS DISTRICT BY ADDING CERTAIN PROPERTY THERETO.

Note: Additions are indicated by underlining; deletions are in ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 318

(Dolores Heights District)

Stage one. Church Street, west side, from the southerly line of Eighteenth Street to the north side of Twentieth Street, Church Street, both sides, from the northerly line of Twentieth Street to the north side of Twenty-Second Street, Cumberland Street from the easterly line of Sanchez Street to Church Street, Sanchez Street from the northerly line of Twentieth Street to the south side of Twenty-First Street, Twentieth Street from the easterly line of Noe Street to the east side of Church Street, Liberty Street from the easterly line of Noe Street to the east side of Church Street, Twenty-First Street from the west side of Sanchez Street to Church Street, Rayburn Street from the northerly line of Twenty-First Street to Libery Street, Dorland Street from the easterly line of

Dolores Street to the west side of Guerrero Street ((and)). Dolores Terrace from end to end ((.)). Liberty Street from the easterly line of Castro Street to the westerly line of Noe Street. Noe Street from the northerly line of Twenty-First Street to the northerly line of Nineteenth Street, and Nineteenth Street from the westerly line of Noe Street to the westerly line of Church Street.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires in a scenic area and was requested by public petition of the majority of property owners in the area.

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided,

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however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Diana Fitzpatrick
Deputy City Attorney

DESCRIPTION APPROVED:

L L Helfer 8/18/93 For
Deputy Director,
Public Services

RECOMMENDED:

John L. Ertle
Director of Public Works

Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
52-93-1

DEC 16 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 93-93-15 ORDINANCE NO. 391-93

FIXING SCHEDULES OF COMPENSATION, TO BE PAID UNDER THE PROVISIONS OF CHARTER SECTION 8.404 TO EMPLOYEES OCCUPYING CLASSIFICATION 9163 TRANSIT OPERATOR AND RELATED TRAINEE CLASS, AND INCORPORATING BY REFERENCE AMENDMENTS TO THE MEMORANDUM OF UNDERSTANDING, PROVISIONS HEREOF TO REMAIN IN EFFECT UNTIL THE ADOPTION OF ANY ORDINANCE ESTABLISHING DIFFERENT PROVISIONS.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. This ordinance incorporates by reference all terms of the amended Memorandum of Understanding entered into between the City and County of San Francisco and Transport Workers Union of America, AFL-CIO, and Transport Workers Union, Local 250-A for fiscal year 1993-94, copies of which are on file with the Board of Supervisors, including but not limited to the Amendment dated and approved by the Mayor's Office on August 9, 1993. The provisions of this ordinance shall remain in effect after the end of fiscal year 1993-94 until the passage of an ordinance establishing different provisions.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Theodore R. Lakey
DEPUTY CITY ATTORNEY

05531

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Bierman Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
Absent: Supervisor Conroy	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
93-93-15

DEC 16 1993
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 96-93-3 ORDINANCE NO. 392-93

[Sale of Real Property]

AUTHORIZING THE CONVEYANCE OF REAL PROPERTY TO GEORGE N. WALLACE AND IRENE G. WALLACE, AS JOINT TENANTS, AND TO ADOPT FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. The Director of Public Works and the Director of Property recommends and the Board of Supervisors hereby declares that the public interest and necessity will not be inconvenienced by the sale of Department of Public Works' real property, a portion of Lot 1 of Block 2044, for the benefit of an adjoining property.

Section 2. The purpose of this conveyance is to permit the enjoyment of a secure back yard that extends to the Eighth Avenue retaining wall. Said use will not interfere with the repair or maintenance of a retaining wall or the installation of new retaining wall beyond the subject property.

Section 3. The Director of Property has determined that a fair and reasonable value for the property is $3,706, and the adjoining owner of Lot 2A of Block 2044 has offered the same.

Section 4. The Board of Supervisors adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Department of City Planning in its letter dated August 9, 1993, a copy of which is on file with the Clerk of the Board of Supervisors, reporting that the proposed sale is in conformity with the Master Plan and consistent with the Eight Priority Policies of Planning Code Section 101.1.

Section 5. The Board of Supervisors hereby authorizes the Director of Property to accept the $3,706 and directs that a sum of $2,500 from the proceeds of this sale be used to reimburse the Real Estate Department for its sales expense and the Mayor and Clerk of the Board of Supervisors be authorized to execute the deed conveying the property rights.

RECOMMENDED:

Director of Public Works

Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By _____
Deputy City Attorney

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(Real Estate)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
96-93-3

DEC 16 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 96-93-4 ORDINANCE NO. 393-93

[Sale of Real Property]

AUTHORIZING THE CONVEYANCE OF REAL PROPERTY TO MANUEL LLAMA, JR. AND JEANNE LLAMA, AS JOINT TENANTS, AND TO ADOPT FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. The Director of Public Works and the Director of Property recommends and the Board of Supervisors hereby declares that the public interest and necessity will not be inconvenienced by the sale of Department of Public Works' real property, a portion of Lot 1 of Block 2044, for the benefit of an adjoining property.

Section 2. The purpose of this conveyance is to permit the construction and enjoyment of lot line windows, doors and two decks which will overhang the subject property. Said use will not interfere with the repair or maintenance of a retaining wall or the installation of new retaining wall beyond the subject property.

Section 3. The Director of Property has determined that a fair and reasonable value for the property is $15,410.00, and the adjoining owner of Lot 2 of Block 2044 has offered the same.

Section 4. The Board of Supervisors adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Department of City Planning in its letter dated August 9, 1993, a copy of which is on file with the Clerk of the Board of Supervisors, reporting that the proposed sale is in conformity with the Master Plan and consistent with the Eight Priority Policies of Planning Code Section 101.1.

Section 5. The Board of Supervisors hereby authorizes the Director of Property to accept the $15,410.00 and directs that a sum of $4,000 from the proceeds of this sale be used to reimburse the Real Estate Department for its sales expense and the Mayor and Clerk of the Board of Supervisors be authorized to execute the deed conveying the property rights.

RECOMMENDED:

Director of Public Works

Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By Amy Wayte
Deputy City Attorney

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(Real Estate)

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
November 22, 1993	$	December 6, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	$	Kennedy Leal Migden
	$	
	$	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
96-93-4

DEC 1 6 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 96-93-5 ORDINANCE NO. 394-93

(Authorizing Sale of Surplus Property)

AUTHORIZING AND DIRECTING THE SALE OF SURPLUS CITY-OWNED PROPERTY KNOWN AS ASSESSOR'S BLOCK 6203, LOT 2 AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Director of Public Works and the Director of Property, the Board of Supervisors hereby declares that the public interest and necessity require the sale at public auction of Lot 2 in Assessor's Block 6203, located within the City and County of San Francisco and consisting of 2,210± square feet, as shown on the map marked Exhibit "A" on file with the Clerk of the Board of Supervisors.

Section 2. Said property is no longer required for municipal purposes, and the Department of City Planning reported on August 30, 1993 that the sale of Lot 2 in Assessor's Block 6203 is in conformity with the Master Plan, exempt from Environmental Review, and consistent with the Eight Priority Policies of Planning Code Section 101.1, which report is on file with the Clerk of the Board of Supervisors.

Section 3. The Board of Supervisors adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Department of City Planning that this sale is in conformity with the City's Master Plan and consistent with the Eight Priority Policies of City Planning Code Section 101.1.

RECOMMENDED:

Director of Public Works

APPROVED:

Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By Deputy City Attorney

C:\WP51\DATA\6ORD034.LBO

(Real Estate)

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PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
November 22, 1993	$	December 6, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	$	Kennedy Leal Migden
	$	
	$	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
96-93-5

DEC 16 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 97-93-55 ORDINANCE NO. 395-93

(Professional Membership)

AMENDING CHAPTER XVI, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.6-5, THEREOF, TO AUTHORIZE THE PUBLIC UTILITIES COMMISSION, AND DEPARTMENTS THEREUNDER, TO JOIN VARIOUS ORGANIZATIONS.

NOTE: Additions are underlined.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter XVI, Article I of the San Francisco Administrative Code is hereby amended by amending Section 16.6-5, thereof, to read as follows:

SEC. 16.6.5. REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS - HETCH HETCHY WATER SUPPLY AND POWER.

Western Urban Water Coalition.

American Society of Mechanical Engineers (ASME).

Institute of Electrical and Electronics Engineers (IEEE).

American Society of Civil Engineers (ASCE).

California Urban Water Agencies.

Electric Power Research Institute.

Western Systems Power Pool.

San Francisco Committee on Corrosion.

Western Snow Conference.

American Water Works Association.

American Public Power Association.

Northern California Joint Pole Association.

California Water Resources Association.

National Safety Council.

Association of California Water Agencies.

Utilities Communication Council.

California Municipal Utilities Association.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By GEORGE E. KRUEGER
Utilities General Counsel

DOCUMENTS DEPT.

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-93-55

DEC 16 1993

Date Approved

Mayor

[Library Revenue Expenditures]

AMENDING ARTICLE XIII, CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.117-13 THEREOF TO ENLARGE THE TYPES OF REVENUES THAT MAY BE DEPOSITED IN THE FUND AND ENLARGING THE PURPOSES FOR WHICH PROCEEDS IN THE FUND MAY BE EXPENDED.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10 of Article XIII of the San Francisco Administrative Code is hereby amended by amending Section 10.117-13 to read as follows:

SEC. 10.117-13. LIBRARY SPECIAL COLLECTIONS AND SERVICES FUND; ESTABLISHMENT; DEPOSITS; EXPENDITURES. There is hereby established a special fund to be known as the "Special Collections and Services Fund of the San Francisco Public Library." All proceeds derived from (1) the provision of information services or publications by the Library; (2) visitor cards; and (3) the sales of books from the Special Collections Department of said Public Library, which duplicate holdings in said Special Collections Department or are not compatible with the collection policy of said Special Collections Department, shall be deposited in said Special Collections and Services Fund. Books selected for such a sale shall

kg 11/10

be on the recommendation of the City Librarian with the approval of the Library Commission. All proceeds derived from service fees charged for photographic reproduction of materials in the Special Collections Department of said Public Library shall be deposited in said Special Collections and Services Fund. Monies deposited in said Special Collections and Services Fund may, subject to approval by the Library Commission, be used solely for the following purposes:

(a) Expenses incurred in connection with the sale of books from said Special Collections Department as aforesaid;

(b) Purchase of additional books and related ephemera for the Special Collections Department of the Public Library;

(c) Purchase of special equipment and related items for the Special Collections Department of the Public Library deemed necessary to insure proper security and conservation of rare and valuable materials; ((and))

(d) Special fellowships awarded to individuals with expertise in any area of the collections housed in said Special Collections Department of the Public Library((.));

(e) Expenses incurred in the provision of information services; and

(f) Purchases, lease, and maintenance of equipment and information resources necessary for the provision of information services.

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The Board of Supervisors must approve any expenditure in excess of $5,000 from the Special Collections and Services Fund.

Any unexpended balance remaining in said Special Collections and Services Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of the provisions of Section 6.306 of the Charter and shall be carried forward and accumulated in said Special Collections and Services Fund for the purpose recited herein.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
97-93-59

DEC 16 1993
Date Approved

_____
Mayor

FILE NO. 101-93-16

(Government Funding)

ORDINANCE NO. 397-93

RO# 93077
SA#10

APPROPRIATING $140,000 FOR TEMPORARY SALARIES FOR THE DEPARTMENT OF RECREATION AND PARK FOR FISCAL YEAR 1993-1994, SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the people of the City and County of San Francisco:

Section 1. **Funds are hereby appropriated for FY 1993-1994 as follows:**

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL491 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000110	Recreation Centers - Sunday Program	$140,000	
49-4900 (916973)	Revenue Transfer Out to #02-229, Special Recreation & Park Rev. Fund 42-01-03		$140,000
	Total General Fund	$140,000	$140,000
02-229	**Special Recreation and Park Rev. Fund**		
42-01-03	Recreation Division-Community Service		
99-9990 (236570)	Revenue Transfer In from 01-001, General Fund; 97-09-00	$140,000	
01-0200 (621888)	Temporary Salaries		$140,000
	Total Special Recreation & Park Rev. Fund	$140,000	$140,000

Section 2. This Ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
November 22, 1993	December 6, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden
	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-16

DEC 16 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-93-17

(Government Funding)

Bridged
ORDINANCE NO. 398-93

RO# 93082
SA#26

APPROPRIATING $1,986,885 FOR PERMANENT AND TEMPORARY SALARIES, RELATED MANDATORY FRINGE BENEFITS, CONTRACTUAL SERVICES, AND FACILITIES MAINTENANCE FOR THE MUNICIPAL RAILWAY FOR FISCAL YEAR 1993-94, SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby approriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL491(000026)	Unappropriated Revenue Reserved		
Subsidiary(000103)	Muni Railway Maintenance	$1,986,885	
48-4700(841601)	Contribution Transfer Out to #31-001		
	Muni Railway Operating Fund		
	35-00-00 Municipal Railway		$1,986,885
	TOTAL GENERAL FUND	$1,986,885	$1,986,885

		Amount Debit	Amount Credit
31-001	**Muni Railway Operating Fund**		
35-03-02	Municipal Railway		
98-9701(196113)	Contribution Transfer In from #01-001		
	99-00-00 General Fund Unallocated	$1,986,885	
01-0010 (560789)	Permanent Salaries - Miscellaneous		$1,085,000
01-0200	Temporary Salaries		260,000
04-0600	Mandatory Fringe Benefits		201,885
10-1216	Outside Auto Maintenance		240,000
10-1219	Other Equipment Maintenance		50,000
10-1244	Tire Rental		50,000
Project 225-01	Misc. Facilities Maintenance		
20-2020	Facilities Maintenance Project		100,000
	TOTAL MUNI RAILWAY OPERATING FUND	$1,986,885	$1,986,885

Section 2. This Ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

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PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
November 22, 1993	$	December 6, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	$	Kennedy Leal Migden
	$	
	$	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-93-17

DEC 16 1993
Date Approved

Frank M. Jordan
Mayor

Amendment of the Whole
11/22/93

FILE NO. 101-93-18
(Government Funding)

ORDINANCE NO. 399-93
RO# 93095
SA#27

APPROPRIATING $1,578,144 FOR PERMANENT SALARIES - PLATFORM, AND RELATED MANDATORY FRINGE BENEFITS FOR THE MUNICIPAL RAILWAY FOR FISCAL YEAR 1993-94, SUBJECT OF PREVIOUS BUDGETARY DENIAL. MAINTAIN MUNI OPERATOR STAFFING LEVEL - FROM SALARY STANDARDIZATION RESERVE. APPROPRIATING $262,016 IN RESERVE FOR THE MUNICIPAL RAILWAY.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL496(000026)	Unappropriated Revenue Reserved		
Subsidiary(000006)	General Reserve	$24,216	
GL904(000026)	Unappropriated Revenue Retained		
Subsidiary(000022)	Salary Standardization Reserve	$1,815,944	
Subsidiary(000117)	Municipal Railway Reserve		$262,016
48-4700(841601)	Contribution Transfer Out to #31-001		
	Muni Railway Operating Fund		
	35-00-00 Municipal Railway		$1,578,144
	TOTAL GENERAL FUND	$1,840,160	$1,840,160

BOARD OF SUPERVISORS

		Amount Debit	Amount Credit
31-001	**Muni Railway Operating Fund**		
35-01-03	Municipal Railway		
98-9701(196113)	Contribution Transfer In from #01-001		
	99-00-00 General Fund Unallocated	$1,578,144	
01-0040 (560706)	Permanent Salaries - Platform		$1,372,300
04-0600	Mandatory Fringe Benefits		205,844
	TOTAL MUNI RAILWAY OPERATING FUND	$1,578,144	$1,578,144

Section 2. This Ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

B:\OFROR\MASA#27

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
November 22, 1993	$	December 6, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman	$	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	$	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	$	Kennedy Leal Migden
	$	
	$	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-18

DEC 16 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-93-21

Budget
ORDINANCE NO. 400-93

(Government Funding)

RO#93109
SA#18

APPROPRIATING $315,000 FOR TEMPORARY SALARIES, MANDATORY FRINGE BENEFITS, OTHER NON-PERSONAL SERVICES AND MATERIALS AND SUPPLIES FOR THE DISTRICT ATTORNEY FOR FISCAL YEAR 1993-1994.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$35,595	
04-02-00	District Attorney - Family Support		
63-6318 (044115)	Child Support Enforcement - State Aid	$71,505	
63-6319	Child Support Enforcement - Federal Aid	$207,900	
01-0200 (303610)	Temporary Salaries		$291,260
04-0600	Mandatory Fringe Benefits		$4,223
10-1900	Other Non-Personal Services		$17,346
11-1300	Materials and Supplies		$2,171
	TOTAL	$315,000	$315,000

APPROVED AS TO FORM
LOUISE H. RENNE CITY ATTORNEY

BY
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

November 22, 1993

Ayes: Supervisors Alioto Conroy Hsieh Kaufman Kennedy Leal Maher Migden Shelley

Absent: Supervisors Bierman Hallinan

Finally Passed

December 6, 1993

Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden

Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
101-93-21

DEC 16 1993
Date Approved

Mayor

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FILE NO. 101-93-28

ORDINANCE NO. 401-93

(Government Funding)

RO#93127
SA#48

APPROPRIATING $122,793 FOR PERMANENT SALARIES, MANDATORY FRINGE BENEFITS AND MEDICAL SERVICE CONTRACTS, FOR THE CREATION OF THREE (3) POSITIONS FOR THE DEPARTMENT OF PUBLIC HEALTH - MENTAL HEALTH FOR SUBSTANCE ABUSE FOR FISCAL YEAR 1993-1994, SUBJECT OF PREVIOUS BUDGETARY DENIAL AND PROVIDING FOR RATIFICATION OF ACTIONS PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	**General Fund**		
99-00-00	General Fund Unallocated		
GL496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000107	Mission Alcohol Abuse Program	$62,793	
Subsidiary 000108	DMSF CE & I Program	$60,000	
87-22-00	Mental Health & Substance Abuse Services		
01-0010 (730515)	Permanent Salaries - Miscellaneous		$50,000
04-0600	Mandatory Fringe Benefits		$10,000
10-1010	Medical Service Contracts		$62,793
	Total	$122,793	$122,793

Section 2. Funds are hereby appropriated for three (3) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-93-11) as follows:

SUPERVISOR ALIOTO

BOARD OF SUPERVISORS

Classification	Title	Rate	Created
Index Code 730515 Sub-Object 0010			
1424 L	Clerk Typist	979B1185	1
2819 L	Assistant Health Educator	1499B1818	1
2823 L	Mental Health Educator	1731B2104	1
	Total		3

Section 3. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Mayor.

Section 4. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

APPROVED:
CIVIL SERVICE COMMISSION

BY: Wendell Brown
GENERAL MANAGER PERSONNEL

SA/APROBUDGE 7875A48

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
November 22, 1993	§	December 6, 1993
	§	
	§	
Ayes: Supervisors Alioto Bierman	§	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	§	Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley	§	Kennedy Leal Migden
	§	
	§	Absent: Supervisors Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-28

DEC 16 1993
Date Approved

Frank M. Jordan
Mayor

As amended in committee
11/17/93

FILE NO. 102-93-11 ORDINANCE NO. 402-93

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 8

AMENDING ORDINANCE NO. 242-93 (ANNUAL SALARY ORDINANCE, 1993-94) REFLECTING THE ADDITION OF 426 POSITIONS AND THE DELETION OF 26 POSITIONS IN THE DEPARTMENT OF PUBLIC HEALTH AS FOLLOWS:

COMMUNITY MENTAL HEALTH:	add 43; delete 5
PUBLIC HEALTH CENTRAL OFFICE:	add 27; delete 9
SAN FRANCISCO GENERAL HOSPITAL:	add 42; delete 10
LAGUNA HONDA HOSPITAL:	add 314; delete 2

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 242-93 (Annual Salary Ordinance, 1993-94) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Department: 83	Public Health Central Office	
		Division: 01	Public Health Administration	
		Section: 00	Administration	
		Program: 4360	Administration	
		Fund: 01001	General Fund	
		Index: 735555	Administration Exp Budget Exp	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Miscellaneous	
1 added	1	1244 L	Senior Personnel Analyst	Z,SC.1844B2242
1 abolished	0	1446 L	Secretary II	1185B1436
1 abolished	0	1840 S	Management Assistant	SC 1255B1520
		Department: 83	Public Health Central Office	
		Division: 02	CPHS	
		Section: 01	Support Services	
		Program: 4129	Health Centers	
		Fund: 01001	General Fund	
		Index: 734301	CPHS Health Care Centers Exp	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Miscellaneous	
1 added	6	1372 S	Special Assistant XIII	Z,SC.2252B2737
4 added	4	1424 L	Clerk Typist	SC. 979B1185

SUPERVISOR ALIOTO

BOARD OF SUPERVISORS

1 added	1	1428 L	Unit Clerk	SC.1141B1381	
1 added	1	2110 L	Medical Records Clerk	SC.1109B1342	
2 added	2	2202 L	Dental Aide	SC.1237B1499	
2 added	2	2210 L	Dentist	Z,SC.2793B3396	
1 added	1	2230 L	Physician Specialist	Z,SC 3005B3653	
1 added	1	2232 L	Sr. Physician Specialist	Z,SC 3313B4028	
1 added	1	2585 L	Health Worker I	SC 947B1147	
1 added	1	2587 L	Health Worker III	SC 1169B1414	
1 added	1	2736 L	Porter	SC 984B1191	
1 abolished	0	2312 A	Licensed Vocational Nurse	1304B1580	
		Object: 005	Permanent Salaries-Nurses		
3 added	3	2320 L	Registered Nurse	SC 1942B2271	Note 14
1 added	1	2322 L	Head Nurse	SC 2354B3036	14
1 added	1	2830 L	Public Health Nurse	Z,SC 2199B2752	14
		Department: 83	Public Health Central Office		
		Division: 02	CPHS		
		Section: 02	Public Health Services		
		Program: 4302	General Admin & Other Support Serv		
		Fund: 01001	General Fund		
		Index: 735563	CPHS Exp Budget		
		Proj/Phase: 000/00	Unassigned Title		
		Object: 001	Permanent Salaries-Miscellaneous		
1 added	1	2494 L	Staff Radiologic Technologist	SC 1477B1791	
1 abolished	6	1426 A	Senior Clerk Typist	1073B1298	
1 abolished	0	2488 A	Public Health Asst.Toxicologist III Z	1899B2309	

BOARD OF SUPERVISORS

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                    Department:      83 Public Health Central Office
                    Division:        03 AIDS
                    Section:         00 Laboratory
                    Program:       4120 Public Health AIDS
                    Fund:         01001 General Fund
                    Index:       735571 AIDS Exp Budget
                    Proj/Phase:  000/00 Unassigned Title
                    Object:         001 Permanent Salaries-Miscellaneous

1  added      1    2825 L Senior Health Educator.............Z,SC 1862B2264

1  abolished  0    1426 A Senior Clerk Typist.....................  1073B1298

                    Department:      83 Public Health Central Office
                    Division:        04 Environmental Services
                    Section:         00 Health Center
                    Program:       4147 Environmental Health
                    Fund:         01001 General Fund
                    Index:       735589 BEHS Exp Budget
                    Proj/Phase:  000/00 Unassigned Title
                    Object:         001 Permanent Salaries-Miscellaneous

1  added      1    6120 L Environmental Health Inspector......Z,SC  1985B2412

1  abolished  5    6108 A Environmental Health Tech. I............. 1323B1603

                    Department:      83 Public Health Central Office
                    Division:        05 Environmental Services
                    Section:         01 Toxics-Misc
                    Program:       4147 Environmental Health
                    Fund:         01001 General Fund
                    Index:       735597 Toxics Exp Budget
                    Proj/Phase:  000/00 Unassigned Title
                    Object:         001 Permanent Salaries-Miscellaneous

2  added      2    6120 L Environmental Health Inspector......Z,SC  1985B2412

                    Department:      83 Public Health Central Office
                    Division:        05 Environmental Health
                    Section:         02 Haz Mats Permits Prog
                    Program:       4147 Environmental Health
                    Fund:         01001 General Fund
                    Index:       736280 Toxics-EAP
                    Proj/Phase:  000/00 Unassigned Title
                    Object:         001 Permanent Salaries-Miscellaneous

1  abolished  0    1426 R Senior Clerk Typist.....................  1073B1298
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                    Department:      83 Public Health Central Office
                    Division:        01 Public Health Administration
                    Section:         01 Administrative Services
                    Program:       4360 Administration
                    Fund:         09099 Work Order
                    Index:       738881 ADM MIS WO Performing-Budget
                    Proj/Phase:  000/00 Unassigned Title
                    Object:         001 Permanent Salaries-Miscellaneous

1  abolished  2    1872 A Programmer Analyst..................Z...  1450B1756

                         Department:      85  Laguna Honda
                         Division:        00  Laguna Honda
                         Section:         00  Laguna Honda
                         Program:       4150  Laguna Honda Hospital
                         Fund:         37001  Laguna Honda Operating Fund
                         Index:       448274  Laguna Honda Hosp Exp
                         Proj/Phase:  000/00  Unassigned Title
                         Object:         001  Permanent Salaries-Misc.

1  added      1    1244 A Senior Personnel Analyst.........Z, SC 1844B2242

2  added      2    1426 A Senior Clerk Typist.................SC 1073B1298

1  added      1    1430 A Transcriber Typist..................SC 1073B1298

1  added      1    1440 A Medical Transcriber Typist..........SC 1141B1381

1  added      1    1662 A Patient Accounts Assistant Supv.....SC 1336B1618

1  added      1    2140 A Hospital Admin. Assistant.........Z SC 1740B2115

1  added      1    2210 A Dentist...........................Z,SC 2793B3396

3  added      3    2220 A Physician........................Z,SC 2862B3479

1  added      1    2232 A Senior Physician Specialist.......Z,SC 3313B4028

135 added   135    2302 A Nursing Assistant...................SC 1226B1484

19 added     19    2312 A Licensed Vocational Nurse...........SC 1304B1580

1  added      1    2424 A X-Ray Laboratory Aide...............SC 1180B1429

1  added      1    2450 A Pharmacist........................Z,SC 1946B2365

1  added      1    2494 A Staff Radiologic Tech...............SC 1477B1791

1  added      1    2536 A Respiratory Care Practitioner.......SC 1401B1698
```

1	added	1	2554 A Therapy Aide.....SC	1336B1618
2	added	1	2586 A Health Worker II.....SC	1067B1291
3	added	1	2587 A Health Worker III.....SC	1169B1414
4	added	39	2588 A Health Worker IV.....SC	1381B1674
5	added	1	2593 A Health Program Coordinator III....Z,SC	1853B2252
6	added	6	2604 A Food Service Worker.....SC	899B1088
7	added	2	2606 A Senior Food Service Worker.....SC	943B1141
8	added	1	2624 A Dietitian.....Z,SC	1528B1853
9	added	2	2650 A Assistant Cook.....SC	966B1169
10	added	1	2652 A Baker.....SC	1273B1543
11	added	20	2736 A Porter.....SC	984B1191
12	added	1	2740 A Porter Supervisor I.....SC	1191B1443
13	added	8	2760 A Laundry Worker.....SC	908B1099
14	added	1	2770 A Senior Laundry Worker.....SC	947B1147
15	added	1	2785 A Assistant General Services Manager..SC	1401B1698
16	added	1	2912 A Senior Social Worker.....Z,SC	1401B1698
17	added	3	2920 A Medical Social Worker.....Z,SC	1690B2053
18	added	2	2922 A Senior Medical Social Worker.....Z,SC	1765B2145
19	added	1	7324 A Beautician.....SC	1208B1463
20	added	1	7524 A Institution Utility Worker.....SC	989B1197
21	abolished	0	2774 A Senior Sewing Technician.....SC.	1047B1267
22	abolished	0	2444 A Clinical Laboratory Technologist..Z...	1535B1862
23				
24				
25				

Object: 005 Permanent Salaries-Nurses

				Note
1				
66	added	66	2320 A Registered Nurse.....SC 1942B2271	14
2				
15	added	15	2322 A Head Nurse.....SC 2354B3036	14
3				
2	added	2	2324 A Nursing Supervisor.....Z,SC 2521B3251	14
4				
1	added	1	2328 A Nurse Practitioner SC 2188B2740	14
5				

Department: 86 San Francisco General Hospital
Division: 41 Emergency Medical Service
Section: 00 Emergency Medical Service
Program: 4117 Emergency Medical Services
Fund: 36001 Hospital Operating Fund
Index: 443010 Emergency Hosp Exp
Proj/Phase: 000/00 Unassigned Title
Object: 001 Permanent Salaries-Misc.

10	2 added	2	1424 L Clerk Typist.....SC.$	979B1185
11	3 added	3	1426 L Sr. Clerk Typist.....SC.	1073B11298
12	1 added	1	1720 L Data Entry Operator.....SC.	895B1083
13	1 added	1	1811 L Mgmt. Information Systems Spec. I. .SC	1291B1565
14	1 added	1	1932 L Assistant Storekeeper.....SC.	989B1197
15	1 added	1	2110 L Medical Records Clerk.....SC.	1109B1342
16	1 added	1	2119 L Health Care Analyst.....Z,SC.	1626B1975
17	11 added	11	2230 L Physician Specialist.....Z,SC.	3005B3653
18	1 added	1	2305 L Psychiatric Technician.....SC.	1323B1603
19	1 added	1	2390 L Central Proc.Distr. Technician.....SC.	1279B1550
20	1 added	1	2409 L Pharmacy Technician.....SC.	1457B1765
21	1 added	1	2494 L Staff Radiologic Technologist.....SC.	1477B1791
22	2 added	2	2548 L Occupational Therapist.....Z,SC.	1782B2166
23	2 added	2	2555 L Physical Therapist Assistant.....SC.	1443B1748
24	1 added	1	2556 L Physical Therapist.....Z,SC.	1782B2166
25	2 added	2	2586 L Health Worker II.....SC.	1067B1291

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3 added	3	2846 L Nutritionist.....Z,SC. 1731B2104		
2 added	2	2920 L Medical Social Worker.....Z,SC. 1690B2053		
1 abolished	45	1404 A Clerk..... 943B1141		
2 abolished	75	1428 A Unit Clerk..... 1141B1381		
7 abolished	72	2312 A Licensed Vocational Nurse..... 1304B1580		
		Object: 005 Pernament Salaries-Nurses		
				Code
2 added	2	2322 L Head Nurse.....SC. 2354B3036		14
1 added	1	2323 L Clinical Nurse Specialist.....SC. 2199B3034		14
2 added	2	2328 L Nurse Practitioner.....SC. 2188B2740		14
		Department: 87 Community Mental Health		
		Division: 26 CMHS Adult Community Services		
		Section: 00 CMHS Adult Community Services		
		Program: 4274 CMHS Adult Community		
		Fund: 01001 General Fund		
		Index: 730515 CMHS Adult Com Budget Only		
		Proj/Phase: 000/00 Unassigned Title		
		Object: 001 Permanent Salaries-Misc.		
1 added	1	1424 L Clerk Typist.....SC.$ 979B1185		
1 added	1	2819 L Assistant Health Educator.....SC..1499B1818		
1 added	1	2823 L Mental Health Educator.....Z,SC. 1731B2104		
1 added	1	1372 L Special Assistant XIII.....Z,SC..2252B2737		
3 added	3	1426 L Senior Clerk Typist.....SC. 1073B1298		
1 added	1	1444 L Secretary I.....SC. 1022B1237		
kg 11/17 1 added	1	2306 L Sr. Psychiatric Orderly.....SC. 1368B1682		
1 added	1	2593 L Health Program Coordinator III....Z,SC..1853B2252		
3 added	3	2932 L Sr. Psychiatric Social Worker.....Z,SC..1765B2145		
1 abolish	0	1424 C Clerk Typist..... 979B1185		
1 abolish	1	2548 A Occupational Therapist.....Z.... 1782B2166		

		Object: 005 Permanent Salaries-Nurses	
			Note
1 added	1	2320 L Registered Nurse.....SC. 1942B2271	14
2 added	2	2323 L Clinical Nurse Specialist.....SC 2199B3034	14
		Department: 87 Community Mental Health	
		Division: 26 CMHS Adult Community Services	
		Section: 07 Center-For-Special-Problem	
		Program: 4274 CMHS Adult Community	
		Fund: 01001 General Fund	
		Index: 733907 Adult Comm Ctr for Spl Prob	
		Proj/Phase: 000/00 Unassigned Title	
		Object: 001 Permanent Salaries-Misc.	
2 added	2	1424 L Clerk Typist.....SC $ 979B1185	
2 added	2	1426 L Senior Clerk Typist.....SC 1073B1298	
1 added	1	1430 ML Transcriber Typist.....SC 1073B1298	
1 added	1	1823 L Sr. Administrative Analyst.....Z,SC 1835B2230	
1 added	1	1844 L Sr. Management Assistant.....Z,SC 1626B1975	
5 added	5	2232 L Sr. Physician Specialist.....Z,SC 3313B4028	
kg 11/17 1 added	1	2246L Asst. Dir. Clinical Services .....Z,SC 2199B2672	
1 added	1	2454 L Clinical Pharmacist.....SC 2252B2737	
3 added	3	2574 L Clinical Psychologist.....Z,SC 1955B2377	
1 added	1	2589 L Health Program Coordinator I.....Z,SC 1457B1765	
1 added	1	2593 L Health Program Coordinator III....Z,SC 1853B2252	
1 added	1	2736 L Porter.....SC 984B1191	
5 added	5	2930 L Psychiatric Social Worker.....Z,SC 1690B2053	
1 added	1	2932 L Sr. Psychiatric Social Worker.....Z,SC 1765B2145	
1 added	1	2932 ML Sr. Psychiatric Social Worker....Z,SC 1765B2145	
		Object: 005 Permanent Salaries-Nurses	
			Note
1 added	1	2323 L Clinical Nurse Specialist.....SC 2199B3034	14

Department: 87 Community Mental Health
Division: 22 CMHS Business & Operations Support
Section: 00 CMHS Business & Operations Support
Program: 4270 CMHS Bus & Operations Support
Fund: 01001 General Fund
Index: 730366 CMHS Bus & Oper Sup Budg Only
Proj/Phase: 000/00 Unassigned Title
Object: 001 Permanent Salaries-Miscellaneous

1 abolish 4 1446 A Secretary II..... 1185B1436

Department: 87 Community Mental Health
Division: 28 Substance Abuse
Section: 70 Sub Abuse Prog Budget Only
Program: 4308 CSAS Administration
Fund: 01001 General Fund
Index: 732172 CSAS-Prog Budget Only-8319-43
Proj/Phase: 000/00 Unassigned Title
Object: 001 Permanent Salaries-Miscellaneous

1 abolish 10 2305 A Psychiatric Technician.....SC. 1323B1603

1 abolish 1 2587 A Health Worker III.....1169B1414

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: DEPUTY CITY ATTORNEY

6930C

BOARD OF SUPERVISORS

No. 8

Board of Supervisors, San Francisco

Passed for Second Reading

November 22, 1993

Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden Shelley

Finally Passed

December 6, 1993

Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman
Kennedy Leal Maher Migden

Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-93-11

DEC 16 1993
Date Approved

Frank M. Jordan
Mayor

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(Landmarks)

DESIGNATING THE HOWARD/26TH STREET COTTAGES AS A LANDMARK PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the Howard/26th Street Cottages at 3274-3294 26th Street, 1487-1499 South Van Ness Avenue and 84-96 Virgil Street, Lots 13 and 14 within Assessor's Block 6526, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a Landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation: Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, the Howard/26th Street Cottages is hereby designated as a Landmark No. 206, this designation having been fully approved by Resolution No. 13559 of the City Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 90-93-5 and is incorporated herein and made a part of hereof as though fully set forth.

Supervisors Alioto, Bierman

(b) Required Data:

(1) The description of the location and boundaries of the Landmark site is 3274-3294 26th Street, 1487-1499 South Van Ness Avenue and 84-96 Virgil Street, Lots 13 and 14 within Assessor's Block 6526.

(2) The characteristics of the Landmark which justify its designation are described and shown in the photographs and other materials on file in the Department of City Planning Docket No. 92.684L and the Landmarks Preservation Advisory Board's Case Report contained in Docket No. 92.684L.

(3) The particular features that should be preserved are those shown in the photographs on file in Department of City Planning Docket No. 92.684L and described in the Landmarks Preservation Advisory Board's Case Report, in Section A, entitled "Architecture," Subsection No. 5, "Design" and in Section D, "Integrity," Subsection No. 13, "Alterations," said photographs and Case Report are incorporated in this designating ordinance as though fully set forth.

//

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APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY

By _____
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By _____
Lu Blazej
Director of Planning

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hsieh Kaufman Kennedy Leal Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Hallinan Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
90-93-5

DEC 23 1993
Date Approved

_____
Mayor

(Landmarks)

DESIGNATING THE ELLINWOOD RESIDENCE AS A LANDMARK PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the Ellinwood Residence at 2799 Pacific Avenue and 2498 Divisadero Street, Lot 10 within Assessor's Block 978, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a Landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation: Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, the Ellinwood Residence is hereby designated as a Landmark No. 207, this designation having been fully approved by Resolution No. 13584 of the City Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 90-93-6 and is incorporated herein and made a part of hereof as though fully set forth.

(b) Required Data:

(1) The description of the location and boundaries of the Landmark site is 2799 Pacific Avenue and 2498 Divisadero Street, Lot 10 within Assessor's Block 978,

(2) The characteristics of the Landmark which justify its designation are described and shown in the photographs and other materials on file in the Department of City Planning Docket No. 93.523L and the Landmarks Preservation Advisory Board's Case Report contained in Docket No. 93.523L.

(3) The particular features that should be preserved are those shown in the photographs on file in Department of City Planning Docket No. 93.523L and described in the Landmarks Preservation Advisory Board's Case Report, in Section A, entitled "Architecture," Subsection No. 5, "Design" and in Section D, "Integrity," Subsection No. 13, "Alterations," said photographs and Case Report are incorporated in this designating ordinance as though fully set forth.

APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY

By _____
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By _____
Lu Blazej
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hsieh Kaufman Kennedy Leal Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Hallinan Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
90-93-6

DEC 23 1993
Date Approved

Frank M. Jordan
Mayor

11/24/93

FILE NO. 101-93-33 ORDINANCE NO. 405-93

(Government Funding)

RO#93139
SA#41&42

kg 11/24

APPROPRIATING $2,325,362 FOR A CAPITAL IMPROVEMENT PROJECT FROM VARIOUS PORT FUNDS, FOR THE PORT OF SAN FRANCISCO FOR FISCAL YEAR 1993-1994; placing $2,149,974 on reserve.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
34-865	**5th Seawall Bond Fund**		
39-00-00	Port of San Francisco		
GL301 (026120)	Unreserved Fund Balance	$54,726	
Project 590-01	Tunnel Project		
21-2020/2030 (599787)	Facilities Maintenance & Capital Projects		$54,726
	Total 5th Seawall Bond Fund	$54,726	$54,726
34-001	**S. F. Harbor Operating Fund**		
GL301 (026013)	Unreserved Fund Balance	$26,671	
Project 629-01	Tunnel Project		
21-2020/2030 (590265)	Facilities Maintenance & Capital Projects		$26,671
	Total S. F. Harbor Operating Fund	$26,671	$26,671
34-867	**1971 Harbor Improvements Bond Fund**		
GL301 (044685)	Unreserved Fund Balance	$1,932,900	
Project 171-01	Tunnel Project		
21-2020/2030 (599803)	Facilities Maintenance & Capital Projects		$1,932,900
	Total 1971 Harbor Improvement Bond Fund	$1,932,900	$1,932,900
34-505	**Fire Insurance Proceeds Fund**		
GL301 (046714)	Unreserved Fund Balance	$311,065	
Project 608-01	Tunnel Project		
21-2020/2030 (590059)	Facilities Maintenance & Capital Projects		$311,065
	Total Fire Insurance Proceeds Fund	$311,065	$311,065

kg 11/24

Section 2. Funds in the amount of $2,149,974 are hereby placed on reserve pending selection of Rail Consultant and Contruction contractors, determination of MBE/WBE status and cost details and submission of the Southern Pacific contract cost details, to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Sakay
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
December 6, 1993	§	December 13, 1993
	§	
	§	
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden	§	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
	§	
Absent: Supervisor Shelley	§	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-33

DEC 23 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-93-34

As amended in committee 12/1/93

ORDINANCE NO. 406-93

(Government Funding)

RO#93127
SA#54

kg 11/24

APPROPRIATING $675,000 FOR PROGRAMMATIC PROJECT (PLEASANTON PROPERTY DEVELOPMENT PLAN) FOR THE WATER DEPARTMENT AND RESCINDING $675,000 FROM OTHER NON-PERSONAL SERVICES (ENVIRONMENTAL MITIGATION) FOR HETCH HETCHY FOR FISCAL YEAR 1993-1994; PLACING $100,000 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1993-1994 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
32-001	**Water Department Operating Fund**		
47-00-00	Water Department		
49-4900 (841247)	Revenue Transfer Out, to 33-001, Hetch Hetchy Operating Fund, 32-00-00	$675,000	
Project 125-01	Pleasanton Property Development Plan		
20-2010 (691675)	Programmatic Project		$675,000
	Total	$675,000	$675,000
33-001	**Hetch Hetchy Operating Fund**		
32-00-00	Hetch Hetchy		
10-1900 (336016)	Other Non-Personal Services (Environmental Mitigation)	$675,000	
99-9990 (162107)	Revenue Transfer In from 32-001, Water Dept. Operating Fund, 47-00-00		$675,000
	Total	$675,000	$675,000

kg 11/24

Section 2. Funds in the amount of $100,000 are hereby placed on reserve, for development fees pending additional details regarding these funds, to be released by the Budget Committee.

kg 12/1

Section 3. That the Board of Supervisors urges the Mayor to become actively involved in the monitoring and overseeing of the proposed Pleasanton Property Development with leadership and close supervision; and

That the Public Utilities Commission identify and compile all of the costs that the City has incurred, to date, on the Pleasanton Land Project, and submit such information to the Board of Supervisors; and

That any future amendments to the Planning Collaborative, Inc. contract or any additional funds to be expended on this Project be submitted to the Board of Supervisors for review and approval; and

That the Public Utilities Commission submit a report in three months to the Board of Supervisors updating the status and progress of the Pleasanton Land Project.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

for CONTROLLER

SA/AFROSUDGET/SA#7954

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
December 6, 1993	§	December 13, 1993
	§	
	§	
Ayes: Supervisors Bierman Hsieh Kaufman Kennedy Leal Maher Migden	§	Ayes: Supervisors Bierman Hallinan Kaufman Kennedy Leal Migden
	§	
Noes: Supervisors Alioto Conroy	§	Noes: Supervisors Alioto Conroy
	§	
Absent: Supervisors Hallinan Shelley	§	Absent: Supervisors Hsieh Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-93-34

DEC 23 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 34-93-7 ORDINANCE NO. 407-93

AMENDING ORDINANCE NO. 1061 ENTITLED "REGULATING THE WIDTH OF SIDEWALKS" BY ADDING THERETO SECTION 1514 CHANGING THE OFFICIAL WIDTH OF SIDEWALK FROM 11.04 FEET TO 21.0 FEET ON THE SOUTHWESTERLY SIDE OF FOURTH STREET BETWEEN MISSION AND MINNA STREETS AND MAKING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be it ordained by the people of the City and County of San Francisco:

SECTION 1. Ordinance No. 1061 entitled "Regulating the Width of Sidewalks", be and is hereby amended in accordance with communication filed in the office of the Clerk of the Board of Supervisors, by adding thereto a new section to be numbered as follows:

Section 1514. The width of sidewalk on the southwesterly side of Fourth Street between Mission and Minna Streets shall be 21.0 feet.

SECTION 2. The Department of City Planning in its report dated July 16, 1993, declared that the above-described change of official sidewalk width is in conformity with the Master Plan, and made findings of consistency with the Eight Priority Policies of City Planning Code Section 101.1.

The San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth in findings made by the Department of City Planning, by its letter dated July 16, 1993, that the project intended by the proposed change of official sidewalk width is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

The Turner Construction Company, as is necessary as a result of this Ordinance, shall make arrangement with public utility companies and City departments for the relocation and/or adjustment of their facilities in the affected sidewalk and street area.

RECOMMENDED:
Director of Public Works

DESCRIPTION APPROVED:
for City Engineer

APPROVED:
Chief Administrative Officer

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY
By Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hsieh Kaufman Kennedy Leal Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Hallinan Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
34-93-7

DEC 23 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 45-93-83 ORDINANCE NO. 408-93

RO #93135

[SETTLEMENT OF LAWSUIT]
AUTHORIZING SETTLEMENT OF LITIGATION OF JAMES AND SHARON LUDTKE AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $150,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "JAMES AND SHARON LUDTKE v. ANTHONY ZAMMIT AND CITY AND COUNTY OF SAN FRANCISCO, et al.," San Francisco Superior Court No. 947-622, by the payment of $150,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:
DEPARTMENT OF PARKING & TRAFFIC

JOHN E. NEWLIN
Executive Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 36
310177 1450 $150,000.00
OCT 27 1993

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Maher Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-93-83

DEC 23 1993
Date Approved

Mayor

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FILE NO. 45-93-84 ORDINANCE NO. 409-93

RO #93141

(SETTLEMENT OF LITIGATION)

APPROVING THE SETTLEMENT OF LITIGATION OF AMERICAN TELEPHONE AND TELEGRAPH COMPANY IN THE SUM OF $171,124.72 PLUS SIMPLE INTEREST AT THE RATE OF 9% FROM APRIL 29, 1992 TO DATE OF PAYMENT PLUS THE ASSESSOR'S STIPULATION TO REDUCION IN VALUES FOR 1992 AND 1993.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled American Telephone and Telegraph Co. v. City and County of San Francisco, Superior Court No. 946-970 for refund of personal property taxes by the payment of $171,124.72 plus simple interest at the rate of 9% per annum from April 29, 1992 to date of payment plus the Assessor's stipulation to the Assessment Appeals Board of reductions in values of personal property for 1992 and 1993 resulting in an additional refund of $14,005.65 (with no interest to be paid thereon).

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

TAX COLLECTOR

THAD BROWN
Tax Collector

FUNDS AVAILABLE: 50 064 08 03 01
029843 GL211
000001 $185,130.37
NOV 02 1993

EDWARD M. HARRINGTON
Controller

ASSESSOR

DORIS WARD
Assessor

BOARD OF SUPERVISORS
6061w

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Maher Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-84

DEC 23 1993
Date Approved

Mayor

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FILE NO. 45-93-85 ORDINANCE NO. 410-93

RO #93143

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MYRNA AND KIM JOHNSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $55,000 less the amount of General Assistance benefits paid by the City and County of San Francisco to Myrna Johnson and Kim Johnson as of the date this resolution is passed. In addition, the City will pay Myrna and Kim Johnson interest at the rate of 7% accrued as of September 1, 1993 on the sum remaining after the outstanding figure in General Assistance benefits has been paid.

WHEREAS, MYRNA JOHNSON AND KIM JOHNSON have filed Superior Court Action No. 944804 against the City and County of San Francisco for Race and Sex Discrimination, Retaliation, Breach of Contract and Wrongful Termination in Violation of Public Policy;

WHEREAS, The San Francisco Department of Public Health has recommended settlement of said claim by payment of $55,000.00, less the amount of General Assistance benefits paid by the City and County of San Francisco to Myrna Johnson and Kim Johnson as of the date this resolution is passed.

WHEREAS, the City Attorney has approved the settlement, now therefore, be it

///

///

///

///

RESOLVED, that pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $55,000.00, less the amount of General Assistance benefits paid by the City and County of San Francisco to Myrna Johnson and Kim Johnson as of the date this resolution is passed, is hereby approved.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

FLORENCE STROUD
Director
Department of Public Health

APPROVED:

DEPARTMENT OF PUBLIC HEALTH

Secretary, Health Commission

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

01 001 97 09 86
309807 1450 $41,000.00

NOV 03 1993

96151

BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Maher Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
45-93-85

DEC 23 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO.: 45-93-86 ORDINANCE NO.: 411-93

RO #93144

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF NANCY AGATIELLO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, ET AL. SUPERIOR COURT NO. 950-095 FOR $9,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1: The City Attorney is hereby authorized to settle the action entitled "Nancy Agatiello v. City and County of San Francisco, et al.," Superior Court No. 950-095, by the payment of $9,500.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

ANTHONY RIBERA
Chief of Police

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $9,500.00

4967N/4 NOV 16 1993

APPROVED:
POLICE COMMISSION

Secretary

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco.

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Maher Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-93-86

DEC 23 1993
Date Approved

Mayor

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FILE NO. 46-93-16 ORDINANCE NO. 412-93

SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF URIEL JIMENEZ v. SUSIE MURNANE DUDLEY, ET AL., WITH WAIVER OF CREDIT RIGHTS AGAINST FUTURE MEDICAL EXPENSES UPON RECEIPT OF $11,000.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 944725 entitled "Uriel Jimenez, Plaintiff, v. Susie Murnane Dudley, et al., Defendants" by acceptance of of the sum of $11,000.00 and by dismissing Complaint.

Section 2. Upon receipt of said sum of $11,000.00 and appropriate paperwork the City Attorney is authorized to dismiss said action and waive credit rights against future medical expenses.

APPROVED AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By CLARE M. MURPHY
General Manager

11184/13

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Maher Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 46-93-16

DEC 23 1993
Date Approved

Mayor

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FILE NO. 47-93-11 ORDINANCE NO. 413-93

(1660 Mission Street Garage Management Agreement)

APPROVING FORMS OF MANAGEMENT AGREEMENT AND BIDDING DOCUMENTS FOR THE 1660 MISSION STREET GARAGE AND THE SURFACE PARKING LOT AT THE CORNER OF 13TH STREET AND SOUTH VAN NESS AVENUE, AND AUTHORIZING THE DIRECTOR OF PROPERTY TO REQUEST BIDS FOR THE MANAGEMENT OF SUCH PARKING FACILITIES USING THOSE DOCUMENTS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Parking and Traffic Commission pursuant to its Resolution No. 130-93-PA passed on November 2, 1993, the following bidding documents for the management of the 1660 Mission Street Garage and the surface parking lot at the corner of 13th Street and South Van Ness Avenue are hereby approved and adopted in substantially the forms that are on file in the office of the Clerk of the Board of Supervisors:

1. Form of Invitation to Bid
2. Form of Bid
3. Form of Pre-Qualification Questionnaire
4. Form of Management Agreement.

Section 2. The Director of Property is hereby authorized to request bids for the Management Agreement using documents in substantially the forms approved and adopted pursuant to Section 1 of this ordinance.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Deputy City Attorney

RECOMMENDED:

Executive Director,
Dept. of Parking and Traffic

Director of Property

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
December 6, 1993	§	December 13, 1993
	§	
	§	
Ayes: Supervisors Alioto Bierman	§	Ayes: Supervisors Alioto Bierman
Conroy Hallinan Hsieh Kaufman	§	Conroy Hallinan Kennedy Leal
Kennedy Leal Migden	§	Migden
	§	
Absent: Supervisors Maher Shelley	§	Absent: Supervisors Hsieh Kaufman
	§	Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
47-93-11

DEC 23 1993
Date Approved

Frank M. Jordan
Mayor

(Cost Recovery - Parking and Traffic)

AMENDING CHAPTER 10B OF THE SAN FRANCISCO ADMINISTRATIVE CODE (SPECIAL LAW ENFORCEMENT AND PUBLIC WORKS SERVICES) BY ADDING SECTIONS 10B.16 THROUGH 10B.19 THERETO, PROVIDING FOR RECOVERY OF COSTS FOR ADDITIONAL PARKING ENFORCEMENT AND TRAFFIC CONTROL AND RELATED SERVICES RENDERED BY THE DEPARTMENT OF PARKING AND TRAFFIC.

Note: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10B of the San Francisco Administrative Code is hereby amended by adding Sections 10B.16 through 10B.19 thereto, to read as follows:

SEC. 10B.16 REQUEST FOR PARKING ENFORCEMENT AND TRAFFIC CONTROL AND RELATED SERVICES. Any person, corporation, firm or other organization desiring additional personnel, equipment and materials of the San Francisco Department of Parking and Traffic (for purposes of Section 10B.16 through 10B.19, the "Department") for parking enforcement, traffic control and related services within the City and County of San Francisco, may request the Director of the Department (for purposes of Section 10B.16 through 10B.19, the "Director") to provide such personnel to

perform such services. If the Director approves the request, he or she may detail such personnel for such services in the number he or she determines to be necessary to perform the services.

SEC. 10B.17 PAYMENT FOR SERVICES. After a request is made for services pursuant to Section 10B.16, the Director shall transmit to the person requesting such services an invoice for the estimated fee necessary to cover the actual costs of the services to be provided, together with an administrative overhead charge to cover the proportionate percentage of the Department's administrative costs that are attributable in the Department's reasonable discretion to the work performed pursuant to the request. No later than 10 days prior to the date on which such services are to be provided, the person, corporation, firm or other organization having requested such services shall deposit with the Department the sum of money shown on such invoice. Within a reasonable time after the requested services have been provided, the Director shall determine the actual cost of the requested services provided by the Department. If the amount of the deposit is insufficient to cover the cost of the requested services, plus the administrative overhead charge, the Director shall notify the person or entity requesting the services by United States mail to the address listed on the request, and he or she shall have ten days to pay the balance. If the amount deposited exceeds the actual costs plus the administrative overhead charge, the Director shall authorize a refund of the

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excess to the person or entity having made the request. If for any reason the request for services is withdrawn after a deposit is made of the estimated costs, the person or entity having requested the services shall be entitled to a refund of that portion of the deposit made representing the costs saved by the Department by reason of the cancellation of the requested services. Each person, corporation, firm or other organization requesting services under this Article shall indemnify, hold harmless and defend the City and County of San Francisco, the Department, and all the officers, agents and employees of both, from any and all liability, judgments or claims for personal or bodily injuries, property damage, or other injuries caused by or purportedly caused by such personnel in the rendering of such services.

SEC. 10B.18 **RATES OF PAY.** For services performed in excess of the basic week, Department employees shall be compensated on the basis of time and one-half, based upon the annual compensation provided for such employees in the City Charter. Employees of the Department detailed to perform services pursuant to this chapter shall not be entitled to any overtime benefits in addition to those provided herein.

SEC. 10B.19 **MINIMUM ASSIGNMENT.** Requested services shall be compensated upon the basis of four hours per employee minimum per assignment.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Lawrence A. Wayte
LAWRENCE A. WAYTE
Deputy City Attorney

RECOMMENDED:

for Bond M. Yee
JOHN E. NEWLIN
Director, Department of Parking and Traffic

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
November 22, 1993	§	December 13, 1993
	§	
	§	
Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kaufman Kennedy Leal Maher Migden Shelley	§	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
	§	
	§	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-93-50

DEC 23 1993
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 97-93-54 ORDINANCE NO. 415-93

[Commission on San Francisco's Environment]

AMENDING SECTION 5.150 OF CHAPTER 5, ARTICLE XVI OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO INCLUDE AN EX-OFFICIO MEMBER FROM THE HEALTH DEPARTMENT ON THE COMMISSION ON SAN FRANCISCO'S ENVIRONMENT.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 5.150 of Chapter 5, Article XVI of the San Francisco Administrative Code, which provides for the Commission on San Francisco's Environment, is hereby amended to read as follows:

SEC. 5.150. COMMISSION ON SAN FRANCISCO'S ENVIRONMENT ESTABLISHED. (a) There is hereby established the Commission on San Francisco's Environment. This Commission shall be advisory to the Board of Supervisors.

(b) There shall be fifteen (15) voting members to the Commission, who shall be appointed as follows:

1. One member shall be appointed by each member of the Board of Supervisors (total of eleven members), effective upon written notice of the appointment being filed with the Clerk of the Board of Supervisors.

2. Four members shall be appointed by the Board of Supervisors.

/ / /

/ / /

There shall also be four ((three)) ex officio, non-voting, members of Commission. One of the ex officio members shall be appointed by the Mayor, one shall be appointed by the Chief Administrative Officer, one shall be appointed by the Director of Public Health, and one shall be appointed by the Director of City Planning.

(c) The members of the Commission shall be broadly representative of the ethnic, racial, gender, age and sexual orientation diversity of the City and County. All members of the Commission shall be residents of the City and County of San Francisco, in accordance with Section 8.104 of the Charter. In making appointments to the Commission the appointing authorities shall give particular consideration to individuals put forward by citywide organizations concerned with the environment and ecology of the City, and shall attempt to ensure that the Commission as a whole is representative of the environmental and ecological interests of all segments of the City's population, and all geographic areas of the City.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hsieh Kaufman Kennedy Leal Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Hallinan Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-93-54

DEC 23 1993
Date Approved

Frank M. Jordan
Mayor

(911 Emergency Response Fund)

AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.204 THEREOF TO ESTABLISH A 911 EMERGENCY RESPONSE FUND.

NOTE: This section is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10 of the San Francisco Administrative Code is hereby amended by adding Section 10.204 thereto to read as follows:

SEC. 10204. 911 EMERGENCY RESPONSE FUND. (a) Establishment of Fund. There is hereby established a 911 Emergency Response Fund for the purpose of receiving all monies collected pursuant to Article 10A of Part III of the San Francisco Municipal Code, those monies which are specifically set aside for deposit into the fund pursuant to the provisions of Section 720 of Article 10 of Part III of the San Francisco Municipal Code, and any other monies transferred into the fund.

(b) Use of Monies in the Fund. Monies in the fund shall be appropriated solely for the following purposes:

(1) for the payment of costs of acquiring land on which to locate a 911 Communication System facility, acquiring and installing computerized call delivery processing and dispatch equipment and software, and/or any other acquisition or construction necessary to

combine 911 communication staff under a single uniform command structure and to house 911 communication system equipment and staff in a seismically safe and fireproof facility contiguous or proximate to the Central Fire Alarm Station on Turk Street, including any debt service payments related thereto;

(2) for the payment of "Conversion Costs," as that term is defined in Section 751(d) of Part III of the San Francisco Municipal Code, to telephone service suppliers;

(3) for the payment of extensions, replacements and improvements to a 911 Communication System;

(4) for the payment of operating, repair and maintenance expenses for a 911 Communication System;

(5) for the payment of personnel costs related to the operation and maintenance of a 911 Communication System.

No expenditures for the purposes set forth in subparagraphs (3), (4) and (5) shall be made from the fund until the costs set forth in subparagraphs (1) and (2) have been paid.

The term "911 Communication System" shall have the meaning set forth in Section 751(a) of Part III of the San Francisco Municipal Code.

(c) Administration and Expenditures from Fund. Expenditures for the purposes set forth in subparagraphs (1) and (2) of subsection (b) above shall be made upon the recommendation of the Chief Administrative Officer. Expenditures for the purposes set forth in subparagraphs (3), (4), and (5) of subsection (b) above

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shall be made upon the recommendation of the Director of Emergency Services. Expenditures and encumbrances from this fund shall be subject to the budget and fiscal provisions of the Charter.

Any unexpended balance remaining in this fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Section 6.306 of the Charter, and shall be carried forward and accumulated in said fund for the purposes recited herein.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hsieh Kaufman Kennedy Leal Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Hallinan Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 97-93-58

DEC 23 1993
Date Approved

_____
Mayor

(Weighing and Measuring Devices)

AMENDING CHAPTER 1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 1.15.1 THERETO TO MAKE TECHNICAL CHANGES AND TO PROVIDE FOR CHARGING REINSPECTION FEES, EFFECTIVE ~~DECEMBER 1, 1993~~ FEBRUARY 1, 1994, FOR TESTING WEIGHING AND MEASURING DEVICES THAT FAIL TO PASS AN INITIAL INSPECTION.

kg 11/24

NOTE: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco that:

Section 1. Chapter 1 of the San Francisco Administrative Code is hereby amended, by amending Section 1.15.1 thereto, to read as follows:

SEC. 1.15.1. FEES FOR TESTING WEIGHING AND MEASURING DEVICES.

(a) For purposes of this section, the term "commercial purposes" shall have the meaning prescribed in section 12500 of the California Business and Professions Code.

(b) Pursuant to the California Business and Professions Code, Division 5, Chapter 2, Article 2, Sections 12210(b) ((giving the Board of Supervisors authority to establish a schedule of fees for testing and noncommercial weighing and measuring devices, upon written request, and standby time for testing commercial weighing and measuring devices under Section 12210, the fee to be charged shall be in accordance with those fees as annually established by

the State of California Division of Measurement Standards. Further provided that)) and 12210.5, the Board of Supervisors hereby directs the Department of Agriculture & Weights & Measures to calibrate, test, weigh, and measure, and certify to the accuracy of, weights and measures and weighing and measuring devices and instruments, tools and accessories connected therewith, whether or not used for commercial purposes, upon the written request of any person. The Board of Supervisors hereby authorizes the County Agriculture Commissioner to establish a schedule of fees for testing of weighing and measuring devices initiated by written request. Pursuant to section 12210.5 of the California Business and Professions Code, the fee schedule established shall be in accordance with those fees established by the Director of Agriculture of the State of California. The fee schedule shall be ratified by resolution of the Board of Supervisors.

(c) After any commercial weighing or measuring instrument or device has been tested as prescribed by Section 12210(a) of the California Business and Professions Code and found to be outside the tolerances or specifications set by the California Department of Food and Agriculture, the sealer may reinspect, retest and recertify such an instrument or device in order to determine if it is within those tolerances and specifications. Owners or operators of commercial weighing or measuring devices that fail such an initial test shall be charged for any required retesting the same fee established for tests conducted upon written request.

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(d) Immediately upon the approval of a change in the fees by the State of California, the County Agricultural Commissioner shall forward to the Board of Supervisors, for the Board's ratification, the change in the fees.

kg
11/24

Section 2. This ordinance shall be effective ~~December 1, 1993~~ February 1, 1994.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Julia McFriedlander
Deputy City Attorney

APPROVED BY:

RUDOLF NOTHENBERG, CAO

Chief Administrative Officer

RECOMMENDED BY:

G. E. WEETH

G. E. Weeth
by [illegible]
County Agricultural Commissioner

SUPERVISOR
6140g

10/14/93
Page 3

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hsieh Kaufman Kennedy Leal Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Hallinan Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-93-60

DEC 23 1993
Date Approved

Frank M. Jordan
Mayor

(Condominium Conversion Limitation)

AMENDING PART II, CHAPTER XIII OF THE SAN FRANCISCO MUNICIPAL CODE (SUBDIVISION CODE) BY AMENDING SECTION 1396 THEREOF TO EXTEND FOR FOUR YEARS THE LIMITATIONS ON CONDOMINIUM CONVERSIONS TO 200 UNITS PER YEAR IN BUILDINGS OF SIX OR FEWER UNITS AS SELECTED BY LOTTERY.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Amending Part II, Chapter XIII of the San Francisco Municipal Code (Subdivision Code) by amending Section 1396 thereto, to read as follows:

SEC. 1396. ANNUAL CONVERSION LIMITATION. This section governing annual limitation shall apply only to conversion of residential units.

Applications for conversion of residential units, whether vacant or occupied, shall not be accepted by the Department of Public Works during the period of January 1, 1994 ((1990)) through December 31, 1997 ((1993)), inclusive, except that a maximum of 200 units, as selected yearly by lottery by the Department of Public Works from all eligible applicants, may be approved for conversion per year during the aforementioned period for the following categories of buildings:

(a) Building consisting of four units or less in which

one of the units has been occupied continuously by one of the applicant owners of record for three years prior to the date of registration for the lottery as selected by the Director: or

(b) Building consisting of six units or less in which 50 percent or more of the units have been occupied continuously by the applicant owners of record for three years prior to the date of registration for the lottery as selected by the Director; or

(c) Community apartments as defined in Section 1308 of this Code, which, on or before December 31, 1982, met the criteria for community apartments in Section 1308 of this Code and which were approved as a subdivision by the Department of Public Works on or before December 31, 1982, and where 75 percent of the units have been occupied continuously by the applicant owners of record for three years prior to the date of registration for the lottery as selected by the Director.

The conversion of a stock cooperative as defined in Section 1308 of this Code to condominiums shall be exempt from the annual limitation imposed on the number of conversions in this Section and from the requirement to be selected by lottery where 75 percent of the units have been occupied continuously by the applicant owners of record for three years prior to the date of registration for the lottery as selected by the Director.

No application for conversion of a residential building submitted by a registrant shall be approved by the Department of Public Works to fill the unused portion of the 200 unit annual limitation for the previous year.

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The provisions of this Section shall become operative on January 1, 1994 ((1990)).

APPROVED AS TO FORM:
LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

21111j
SUPERVISOR MIGDEN

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hsieh Kennedy Leal Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Hallinan Kaufman Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
126-93-2

DEC 23 1993
Date Approved

_____
Mayor

FILE NO. 127-93-22 ORDINANCE NO. 419-93

[Emergency Response Fee]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 7.7 TO AUTHORIZE THE DIRECTOR OF EMERGENCY SERVICES TO SUPERVISE THE FUNCTIONS OF DISPATCHING EMERGENCY POLICE, FIRE AND MEDICAL SERVICES AND AMENDING PART III OF THE MUNICIPAL CODE BY AMENDING ARTICLE 10, SECTION 720, TO PLACE A PORTION OF UTILITY USERS' TAX PROCEEDS IN THE 911 EMERGENCY RESPONSE FUND AND ENACTING A NEW ARTICLE 10A, ADDING SECTIONS 750 THROUGH 772, TO IMPOSE A FEE ON TELEPHONE SUBSCRIBERS TO FINANCE 911 COMMUNICATION SYSTEM CONSOLIDATION AND IMPROVEMENTS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 7 of the San Francisco Administrative Code is hereby amended by amending Section 7.7 to read as follows:

NOTE: Additions are <u>underlined</u>; deletions are in ((double parentheses)).

SECTION 7.7. THE EMERGENCY SERVICES OF SAN FRANCISCO -- DIRECTOR; POWERS AND DUTIES. <u>(a)</u> There is hereby created the office of Director of Emergency Services, who shall be appointed by the Mayor. The Mayor, as chair of the Disaster Council and Commander of Emergency Services, shall employ a Director of Emergency Services, who shall have the expert qualifications for the work of emergency preparedness and relief and whose duty it shall be, subject to the general supervision of the Mayor and with the

assistance of officers in charge of the Emergency Services, to develop and manage an emergency plan of the City and County, to coordinate all protective and relief services for the City and County, the training of all personnel connected therewith and the operation and implementation of all emergency plans and activities. As far as the Disaster Council and the Emergency Services and this work is concerned, the Director shall be subordinate only to the Mayor and he or she shall work in close cooperation with the Disaster Council and with the heads of the several departments of the municipal government and the officers in charge of the Emergency Services. Under the general supervision of the Mayor, the Director shall maintain the necessary contacts with the State Emergency Council and the several local disaster councils within this metropolitan area, in order that coordination of the work of the Disaster Council with the State Emergency Council and other disaster councils may be had. The Director shall serve as the Executive Secretary of the City and County Disaster Council and shall have such other powers and duties as may be assigned by the Mayor. The compensation of the Director shall be fixed in accordance with the fiscal and budgetary provisions of the Charter.

<u>(b) The Director of Emergency Services shall manage the City and County's 911 communication system facility and shall direct all operations related to taking calls from members of the public seeking emergency police, fire and medical assistance and related to the dispatch of emergency police, fire and medical services. All</u>

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programs and staff related to emergency services call-taking and dispatch shall be transferred to the Office of Emergency Services. Notwithstanding the duty imposed by this section, the Director shall only assume the responsibility to manage call-taking and call dispatch regarding requests for emergency medical services upon approval from the San Francisco Health Commission. On or about 180 days prior to the estimated completion of the 911 communication system facility, the Chief Administrative Officer shall certify to the Mayor, the Board of Supervisors, the Chief of Police, the Fire Chief and the Director of the Department of Public Health the anticipated date upon which the facility will be operational. To the maximum extent consistent with the Charter, the duties imposed on the Director of Emergency Services by this subsection and the transfer of programs and staff to the Office of Emergency Services shall be effective upon the date certified by the Chief Administrative Officer.

Section 2. Article 10 of Part III of the San Francisco Municipal Code is hereby amended by amending Section 720 to read as follows:

NOTE: Additions are underlined; deletions are in ((double parentheses)).

SEC. 720. PURPOSE. The taxes imposed and levied by the provisions of this Article are solely for the purpose of providing revenue for the usual current expenses of the City. However, if, pursuant to a final court order invalidating Section 707.1 of this Article, collection of utility users taxes from residential subscribers is resumed, a sum equal to $6.5 million of tax proceeds annually plus an amount, specified by the Controller, reflecting the annual increase in aggregate City salaries, shall be deposited in the 911 Emergency Response Fund to be used exclusively for the purposes authorized by §10.204 of the San Francisco Administrative Code. In no event shall the amount of tax proceeds dedicated by this section to the 911 Emergency Fund in any fiscal year exceed the amount of proceeds which would be generated annually by the utility user tax based on the rates in effect and utility usage taxable in May, 1978. The provisions of this Article are not enacted for regulatory purposes.

Section 3. The San Francisco Municipal Code is hereby amended by adding a new Article 10A to read as follows:

NOTE: All sections are new.

Article 10A

EMERGENCY RESPONSE FEE

Sec. 750.	Title/Purpose.
Sec. 751.	Definitions.
(a)	911 Communication System.
(b)	Access Line.
(c)	City.
(d)	Conversion Costs.

(e) Eligible Project Costs.
(f) Exempt Project Costs.
(g) Fee.
(h) Lifeline Service.
(i) Local Telephone Service.
(j) Month.
(k) Person.
(l) Project Costs.
(m) Service Location.
(n) Service Supplier.
(o) Tax Collector.
(p) Telephone Corporation.
(q) Telephone Subscriber.
(r) Trunk Line Service.
Sec. 752. Findings.
Sec. 753. Imposition of Emergency Response Fee.
Sec. 754. Exemptions.
Sec. 755. Fee Schedule.
Sec. 756. Sunset of Fee.
Sec. 757. Collection of Fee.
Sec. 758. Conversion Cost Claims.
Sec. 759. Liability for Fee.
Sec. 760. Registration, Reporting and Remitting.
Sec. 761. Interest and Penalties.
Sec. 762. Failure to Collect and Report Fee; Determination of Fee by Tax Collector.
Sec. 763. Appeal; Board of Review.
Sec. 764. Records.
Sec. 765. Refunds.
Sec. 766. Failure to Pay Tax; Administrative Remedy.
Sec. 767. Rules and Regulations.
Sec. 768. Administrative Agreements.
Sec. 769. Violations; Misdemeanor.
Sec. 770. California Public Utilities Commission Jurisdiction.
Sec. 771. Savings Clause.
Sec. 772. Effective Date.

SEC. 750 TITLE/PURPOSE. (a) In order to substantially improve the performance of the City's 911 communications system, the City and County must impose a fee. This ordinance shall be known as the "Emergency Response Fee Ordinance" and the fee imposed herein

shall be known as the "Emergency Response Fee."

(b) The purpose of this ordinance is to require subscribers to telephone service in the City and County to pay a fee which is directly related to the benefit subscribers derive from the improvements to the 911 communication system that will be financed by fee revenues.

(c) The emergency response fee is the most practical and equitable temporary revenue mechanism to finance the acquisition and construction of land, equipment, software, and facilities which are needed to provide an adequate and reliable 911 communication system under a single uniform command structure. The fee is intended to recover all costs related to the benefits the improved system will provide to non-exempt telephone subscribers. Benefits provided to exempt telephone subscribers will be financed through other revenue mechanisms.

(d) The fee imposed by the provisions of this Article is intended solely to provide revenue for eligible project costs, as defined in this Article. Fee revenues shall be deposited by the Controller in the 911 Emergency Response Fund authorized by Section 10.204 of the San Francisco Administrative Code. The provisions of this Article are not enacted for regulatory purposes or for general revenue purposes.

SEC. 751. DEFINITIONS. Except where the context or particular provisions require otherwise, the following definitions shall govern the construction of this Article.

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(a) 911 Communication System. "911 Communication System" means an enhanced emergency telephone service which automatically connects a person dialing the digits 9-1-1 to an answering point established within a City Department and shall incorporate all aspects of the call delivery system, the call processing system and the call dispatch system, including, but not limited to, selective routing, automatic number identification (ANI) and automatic location identification (ALI). "911 Communication System" includes the functions of the primary dispatch center operated, at the time this Article was adopted, by the San Francisco Police Department and the secondary dispatch centers operated by the San Francisco Fire Department and the San Francisco Department of Public Health; however, it does not include the Police Department, Fire Department and Health Department staff who respond to requests for assistance by traveling to a site to which they are dispatched as a result of an emergency call.

(b) Access Line. "Access Line" means any connection from a customer location to a provider of local telephone service offered to the public for compensation. Within the meaning of this ordinance, and without limitation, access lines include connections providing residential basic exchange service, business basic exchange service, PBX service (private branch exchange), foreign exchange service, and Centrex service.

(c) City. "City" means the City and County of San Francisco.

(d) Conversion Costs. "Conversion costs" means costs

incurred by a service supplier to make initial modifications to the supplier's billing system, prior to beginning collection of the fee imposed by this Article, in order to collect a local charge imposed at a flat rate on a per access line basis, rather than as a percentage of charges for telephone service.

(e) Eligible Project Costs. "Eligible Project Costs" means the portion of project costs reflecting the benefit estimated to be provided by the project to telephone subscribers who are required to pay the fee imposed by the provisions of this Article on access lines subject to the fee. Eligible Project Costs shall not include Exempt Project Costs or any expenditures which are reimbursed in accordance with the California Emergency Telephone Users Surcharge Act or are reimbursed by any other public entity. Under no circumstances will eligible project costs exceed $49 million.

(f) Exempt Project Costs. "Exempt Project Costs" means the portion of project costs reflecting the benefits estimated to be provided by the project to telephone subscribers who are exempted from the fee by Section 754 of this Article or are otherwise not required to pay any fee imposed by the provisions of this Article.

(g) Fee. "Fee" means the Emergency Response Fee imposed under the provisions of this Article.

(h) Lifeline Service. "Lifeline Service" means discounted telephone service available to eligible low-income residential customers.

(i) Local Telephone Service. "Local Telephone Service" means

access to a local telephone system, providing two-way telephonic quality communication with substantially all persons having telephone or radio telephone stations constituting a part of such local telephone system, whether or not such service uses transmission wires.

"Local Telephone Service" shall not include land mobile services or maritime mobile services as defined in Section 2.1 of Title 47 of the Code of Federal Regulations, as said Section existed on January 1, 1970. Notwithstanding this exclusion, "local telephone service" shall include cellular telephone service.

(j) Month. "Month" means a calendar month.

(k) Person. "Person" includes a natural person, domestic or foreign corporation, association, syndicate, joint stock company, partnership of any kind, joint venture, club, association, cooperative organization, fraternal organization, nonprofit organization, corporation, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy.

(l) Project Costs. "Project Costs" means any costs of: acquiring land on which to locate a 911 Communication System facility, acquiring and installing computerized call delivery processing and dispatch equipment and software, and/or any other acquisition or construction necessary to combine 911 communication staff, to the maximum extent consistent with the Charter, under a single uniform command structure and to house 911 communication

system equipment and staff in a seismically safe and fireproof facility contiguous or proximate to the Central Fire Alarm Station on Turk Street, including any debt service payments related thereto. Project costs shall include conversion costs as defined in this Article.

(m) Service Location. "Service location" means the premises of a telephone subscriber at which a working service point or primary station set provides the subscriber with basic exchange service and to which extension services are charged.

(n) Service Supplier. "Service Supplier" means any person supplying local telephone service to any telephone subscriber, pursuant to authority granted by the California Public Utilities Commission, at a location within the City and County of San Francisco. Service suppliers may include, without limitation, local exchange carriers, interexchange carriers, competitive access providers, cable television providers offering telecommunications services, and any other entity offering direct connections between their premises and the premises of telephone subscribers.

(o) Tax Collector. "Tax Collector" means the Tax Collector for the City and County of San Francisco.

(p) Telephone Corporation. "Telephone Corporation" shall have the same meaning as defined in Section 234 of the Public Utilities Code of the State of California or the most comparable successor definition.

(q) Telephone Subscriber. "Telephone Subscriber" means any

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JAN 1 1 1994
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person required to pay a fee imposed under the provisions of this Article.

(r) Trunk Line Service. "Trunk Line Service" means access to local telephone service provided by means of a central office line to or from a private branch exchange or automatic call distributing system, or other similar service, at a telephone subscriber location.

SEC. 752. FINDINGS. The Board hereby finds and declares as follows:

(a) Upon direction from Mayor Frank Jordan, the Director of the Mayor's Office of Emergency Services (OES) recently issued a management audit of San Francisco's 911 communication system. This audit was requested in response to concerns about the system's adequacy in the wake of multiple shooting deaths at 101 California Street. The audit was the latest in a series of reports which have identified serious equipment and facilities deficiencies in San Francisco's 911 communications system. The audit reached the following conclusions (among others):

1) The management information system in the San Francisco 911 Dispatch Center is inadequate to the tasks required. The auditor recommended that the City obtain new hardware and software, including a stand-alone computer and a 'state of the industry' Computer Aided Dispatch system (CAD).

2) The 911 Dispatch Center is not located in a seismically safe facility, and no fully equipped alternative site is available in the event that the primary system is disabled. The auditor

recommended that the City identify a seismically safe alternative site in the event the primary center is disabled.

In addition, after surveying six municipalities with modernized 911 communication systems, the Mayor's Office of Emergency Services concluded that the most efficient and effective 911 communication systems feature a combined dispatch system for police, fire, and health. OES concluded that the 911 Dispatch Center currently operated by the San Francisco Police Department and the secondary dispatch centers operated by the Fire Department and the Department of Public Health should be combined under a single uniform command structure.

(b) The Board of Supervisors estimates that $57,851,000 will be required to respond to the audit recommendations and to significantly improve the functioning of the 911 communications system. Expenditures of this magnitude require a significant new temporary revenue source. The Board recognizes that actual project costs may amount to more or less than $57,851,000. In making this estimate, the Board intends only to place a ceiling on the amount of project costs that may be paid for by revenues from the fee imposed by this Article without subsequent legislation. The Board does not intend to limit the scope of the project that may be financed from other revenue sources.

(c) The 911 Communication System provides immediate access to emergency services for telephone subscribers. Subscribers to telephone service will derive significant benefit from a modernized

integrated system which enhances call delivery, call processing and call dispatch and thus provides for more speedy and reliable emergency services. The costs associated with improving the 911 Communication System should be allocated among telephone subscribers because telephone subscribers will reap this significant benefit.

(d) Every telephone access line can provide independent access to the 911 Communication System. Therefore, allocating the costs of improving the 911 Communication System to telephone subscribers on a per line basis fairly distributes these costs according to the benefit telephone subscribers derive from standby availability of a modernized 911 Communication System.

(e) Subscribers to trunk line service derive more benefit, in terms of access to emergency communication service, from each telephone line than other subscribers because trunk lines typically serve more telephone stations than other telephone lines. The Board finds that, on average, a trunk line provides five times the benefit provided by a single access line. Therefore, the rate charged to trunk lines is set at five times the rate per access line.

(f) Although every telephone access line can provide access to the 911 Communication System, the concentration of a large number of access lines in a single location diminishes the marginal benefit of improved access provided by each additional access line. Therefore, placing a cap on the number of access lines per account per service location on which the fee is charged is consistent with the Board's objective of fairly allocating project costs according to the

benefits accruing to telephone subscribers from the system improvements financed by the fee.

(g) The Board of Supervisors estimates that the total costs of the equipment, land and improvements to be financed by the fee imposed by this article are $57,851,000. Pacific Telesis estimates that 917,500 access lines serve subscribers to local telephone service within the City and County of San Francisco. When total estimated project costs are allocated among these subscribers at the rate of $.50 per month per line, the fee must be collected for 127 months in order to recover all estimated project costs.

(h) The fee imposed by the provisions of this Article will not generate revenues from exempt subscribers. Therefore, the share of project costs attributable to the benefits provided by the project to exempt subscribers must be recovered from another source. Based on information provided by Pacific Telesis, the Board estimates that 137,000, or 14.9% of the 917,500 lines providing local telephone service in the City, will be exempt from the fee. In addition, the $10,000 annual cap on fee liability for any individual subscriber results in additional exempt costs estimated to total $1,725,083. As a result, eligible project costs are estimated to total $47,499,822, and $10,351,178 of total project costs must be financed from other revenues in the 911 Emergency Response Fund.

SEC. 753. IMPOSITION OF EMERGENCY RESPONSE FEE. (a) Commencing on the date specified in Section 772 of this Article, there is hereby imposed an emergency response fee on every person who

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JAN 13
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maintains access to the 911 Communication System by subscribing to local telephone service within the City and County of San Francisco.

(b) The amount of the fee imposed by this section shall be paid, on a per access line basis, by the person paying for such local telephone service; however, no fee shall be charged to more than 1667 access lines or 333 trunk lines per account per service location, and in no circumstance shall any telephone subscriber be required to pay fees in excess of $10,000 in any twelve month period.

(c) Only one payment of the fee herein imposed shall be required for any access line, notwithstanding that access lines of more than one person are used in furnishing local telephone service to a telephone subscriber.

(d) Revenues generated by the Emergency Response Fee shall be deposited in the 911 Emergency Response Fund authorized by Section 10.204 of the San Francisco Administrative Code and shall be used exclusively to pay for eligible project costs.

SEC. 754. EXEMPTIONS. Nothing in this Article shall be construed as imposing a fee upon the access lines of:

(a) the City; or

(b) the State, any County, municipal corporation, City and County, district or any political subdivision of the State of California; or

(c) a lifeline customer of a service supplier; or

(d) a telephone corporation; or

(e) coin-operated telephones; or

(f) a non-profit hospital which is exempt from federal income tax under Section 501(a) of the United States Code; or

(g) a non-profit educational organization which is exempt from income tax under Section 501(a) of the United States Code; or

(h) any person when imposition of such fee upon that person would violate the Constitution of the United States or that of the State of California or preemptive federal or state law.

SEC. 755. FEE SCHEDULE. The amount of the fee shall be $.50 per month per access line or $2.50 (5 x $.50) per month per trunk line.

SEC. 756. SUNSET OF FEE. (a) The fee imposed by this Article shall expire upon the Controller's written certification to the Clerk of the Board of Supervisors, at least 120 days before the expiration date, that total fee revenues will have been sufficient to recover actual eligible project costs, as these costs have been determined by the Controller. However, under no circumstances shall actual eligible project costs exceed $49,000,000. The Tax Collector shall notify service suppliers within 15 days of a Controller's certification that the fee will expire as of the date identified in the certification.

(b) Notwithstanding subsection (a) of this Section, the fee imposed by this Article shall expire upon any earlier date on which, according to a written notice from the Tax Collector, collection of utility users taxes from residential subscribers will resume, pursuant to a final court order invalidating Section 707.1 of Article 10 of Part III of the San Francisco Municipal Code.

SEC. 757. COLLECTION OF FEE. (a) The fee imposed by this Article shall be collected from the telephone subscriber by the service supplier. Service suppliers shall hold fee revenues in trust for the City and shall remit the revenues collected as the fee to the Tax Collector on a monthly basis on or before the last day of the following month.

(b) The fee required to be collected by service suppliers under this ordinance shall be added to and stated separately as the San Francisco Emergency Response Fee in the service supplier's billings to telephone subscribers.

(c) If the amount paid by a telephone subscriber is less than the full amount of the charges for service and the emergency response fee which have accrued for the billing period, a proportionate share of both the charges for service and the fee shall be deemed to have been paid.

(d) The duty to collect the fee from a telephone subscriber shall commence with bills issued on or after the operative date of this Article, as specified by Section 772, and shall cease on the date identified by the Controller or the Tax Collector under Section 756 of this Article.

SEC. 758. CONVERSION COST CLAIMS A service supplier may submit a claim to the Controller, which shall be subject to audit, to recover conversion costs from fee revenues. Such claims must be submitted to the Controller within 180 days of incurring conversion costs. The Controller shall adopt rules and regulations for

processing claims submitted under this section.

SEC. 759. LIABILITY FOR FEE. (a) Any fee required to be paid by a telephone subscriber under the provisions of this Article shall be deemed a debt owed by the telephone subscriber to the City until it has been paid to the City, except that payment to a service supplier is sufficient to relieve the subscriber from further liability for the fee.

(b) Any fee required to be collected under the provisions of this Article shall be deemed a debt owed to the City and County of San Francisco by the person required to collect and remit such fee.

(c) Nothing in this Section shall impose any duty on a service supplier to take any legal action to enforce the collection of the fee hereinabove imposed. However, whenever a service supplier remits funds collected as an Emergency Response Fee to the City, the service supplier shall also provide the City with the name and address of any telephone subscriber refusing or failing to pay the fee for a period of four or more billing periods and shall state the amount of such fee remaining unpaid. The Tax Collector shall notify the telephone subscriber that the Tax Collector has assumed responsibility to collect the fees due for the stated periods and demand payment of such fees.

(d) Any person owing money to the City under the provisions of this Article shall be liable to an action brought in the name of the City and County for the recovery of such amount.

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JAN 13 1994
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SEC. 760. REGISTRATION REPORTING AND REMITTING. (a) Each service supplier providing local telephone service to telephone subscribers within the City shall register with the Tax Collector upon a form prescribed by the Tax Collector and shall set forth the name under which the service supplier transacts or intends to transact business, and such other information as the Tax Collector may require.

(b) Each service supplier shall, on or before the last day of each month, make a return to the Tax Collector, on forms provided by the Tax Collector, stating the amount of fees collected by the service supplier during the preceding month. At the time the return is filed, the full amount of the fee collected shall be remitted to the Tax Collector. The Tax Collector may require further information in the return. Returns and remittances are due immediately upon cessation of business for any reason.

SEC. 761. INTEREST AND PENALTIES. (a) Fees required to be collected from a telephone subscriber which are not remitted to the Tax Collector on or before the due date provided in this Article are delinquent.

(b) Service Suppliers. Interest and penalties for delinquency in remittance of any fee not remitted shall be assessed as follows:

(i) Any service supplier who fails to remit any fee imposed by this Article within 10 days after receipt of written notice from the Tax Collector of such failure shall pay a penalty of ten per cent (10%) of the amount of the fee.

(ii) If the Tax Collector determines that the nonpayment of any remittance due hereunder is due to fraud, a penalty of one hundred per cent (100%) of the amount of the fee shall be added thereto in addition to the penalty stated in subparagraph (i) of this subsection.

(iii) In addition to the penalties imposed in this subsection (b), any service supplier who fails to remit any fee imposed by this Article, shall pay interest on the amount of the fee, exclusive of penalties, from the date on which the remittance first became delinquent until paid. Interest shall be paid at the rate of one per cent per month, or fraction thereof.

(c) Telephone Subscribers. Failure by a telephone subscriber to pay any fee herein imposed shall result in the following interest and penalties on the telephone subscriber:

(i) Any telephone subscriber who fails to pay any fee imposed by this Article within 120 days of the date of the receipt of notice of the amount of fee due from the service supplier shall pay a penalty of ten percent (10%) of the amount of the fee.

(ii) Any telephone subscriber who fails to pay any delinquent remittance within 180 days after the date of the receipt of notice of the amount of fee due from the service supplier shall pay a second delinquency penalty of ten percent (10%) of the amount of the fee in addition to the

ten percent (10%) penalty first imposed.

(iii) In addition to the penalties imposed in this Subsection (c), any telephone subscriber who fails to pay any fee imposed by this Article, shall pay interest on the amount of the fee, exclusive of penalties, from the date on which the fee first became delinquent until paid plus an additional collection charge for each delinquent account in an amount to be determined by Rules and Regulations of the Tax Collector. The Tax Collector shall establish collection charges which reimburse the costs incurred by the City for collecting delinquent fees. Interest shall be paid at the rate of one per cent per month, or fraction thereof.

(iv) The penalties, interest and collection charges imposed in this Subsection (c) shall not be collected by the service supplier, but shall be determined and collected by the City and County as set forth hereinafter.

(d) Every penalty imposed and such interest as accrues under the provisions of this Section shall become a part of the fee herein required to be paid.

SEC. 762. FAILURE TO COLLECT AND REPORT FEE; DETERMINATION OF FEE BY TAX COLLECTOR. If any service supplier shall fail or refuse to collect any fee imposed by this Article and to make, within the time provided in this Article any report and remittance of said fee or any portion thereof required by this Article, the Tax Collector shall proceed in such manner as he may deem best to obtain facts and

information on which to base his estimate of the fee due. As soon as the Tax Collector shall procure such facts and information as he is able to obtain upon which to base the assessment of any fee imposed by this Article and payable by any service supplier who has failed or refused to collect the same and to make such report and remittance, he shall proceed to determine and assess against such service supplier the fee, interest and penalties provided by this Article. In case such determination is made, the Tax Collector shall give a notice of the amount so assessed by serving it personally or by depositing it in the United States mail, postage prepaid, addressed to the service supplier so addressed at its last known place of address. Such service supplier may within 10 days after the serving or mailing of such notice make application in writing to the Tax Collector for a hearing on the amount assessed. If application by the service supplier for a hearing is not made within the time prescribed, the fee, interest and penalties, if any, determined by the Tax Collector shall become final and conclusive and immediately due and payable. If such application is made, the Tax Collector shall give not less than five days' written notice in the manner prescribed herein to the service supplier to show cause at a time and place fixed in said notice why said amount specified therein should not be fixed for such fee, interest and penalties. At such hearing, the service supplier may appear and offer evidence why such specified fee, interest and penalties should not be so fixed. After such hearing, the Tax Collector shall determine the proper fee to be

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JAN 3 0 1994
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remitted and shall thereafter give written notice to the service supplier in the manner prescribed herein of such determination and the amount of such fee, interest and penalties. The amount determined to be due shall be payable after 15 days unless an appeal is taken as provided hereinafter.

SEC. 763. APPEAL; BOARD OF REVIEW. (a) A Board of Review consisting of the Chief Administrative Officer, the Controller and the Assessor is hereby created. The Board shall select from its members a chairman who shall serve at its pleasure. Any member of the Board may deputize in writing filed with the Board any member of his office to serve in his place on such Board for such period or in such hearing as he may desire. A majority of the members of the Board shall constitute a quorum. The Board shall keep a record of its transactions. The Board shall be deemed to be in the Office of the Chief Administrative Officer, shall meet and keep its files in his office, and all filings with the Board relating to appeals or otherwise shall be made at such office. Neither the members of the Board nor the members of their offices deputized to serve in their places at anytime shall receive any compensation as such members or acting members for their services on the Board.

(b) Any person aggrieved by any decision of the Tax Collector adversely affecting the rights or interest of such person, which is made under the authority conferred by this Article, may appeal therefrom to the Board of Review with 20 days from the day of mailing notice of such decision by the Tax Collector, as provided herein.

The Board of Review shall fix a time and place for hearing such appeal, and notice thereof shall be given in writing to such person at his last known place of address. The Board may affirm, modify or reverse such decision or dismiss the appeal therefrom, as may be just, and shall prescribe such forms, rules and regulations relating to appeals as it may deem necessary.

(c) The findings of the Board of Review shall be written, final and conclusive and shall be served upon the appellant in the manner prescribed above for service of notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of notice.

(d) The Board shall approve, modify or disapprove all forms, rules and regulations prescribed by the Tax Collector in the administration and enforcement of this Article and such forms, rules and regulations shall be subject to, and become effective only on, such approval.

(e) On written application showing good cause, the Board or its chairman may without hearing, by written order filed with the Tax Collector, extend for not more than 30 days the time provided in this Article for the filing of any return or making any payment. For the period of such extension the penalty in regard thereto shall be waived.

SEC. 764. RECORDS. It shall be the duty of every service supplier required to collect and remit to the City and County any fee imposed by this Article to keep and preserve, for a period of three

years, all records as may be necessary to determine the amount of such fee service supplier may have been required to collect and remit to the City and County, which records the Tax Collector shall have the right to inspect at all reasonable times.

SEC. 765. REFUNDS. (a) Whenever the amount of any fee, interest or penalty has been overpaid or paid more than once, or has been erroneously or illegally collected or received by the City and County under this Article it may be refunded as provided in Subparagraphs (b) and (c) of this Section, provided a claim in writing therefor, stating under penalty of perjury the specific grounds upon which the claim was founded, is filed with the Tax Collector within three years of the day of payment. The claim shall be on a form furnished by the Tax Collector. The claim shall be audited in the manner provided for in the San Francisco Charter. If the claim is approved by the department which collected said fee and by the Controller, the excess amount collected or paid may be refunded or may be credited on any amount due and payable, from the person from which it was collected or by whom paid and the balance may be refunded to such person, his administrator or executors.

(b) A service supplier may claim a refund or claim a credit against fees to be collected and remitted of the amount overpaid or paid more than once, or erroneously or illegally collected or received; provided, however, that neither a refund or a credit shall be allowed unless the amount of the fee so collected has either been refunded to the person entitled thereto or credited to the charges

subsequently payable by such person to the service supplier.

(c) A telephone subscriber may obtain a refund of fees overpaid or paid more than once or erroneously or illegally collected or received by the City and County by filing a claim in the manner provided in Subparagraph (a) of this Section, but only when the fee was paid by the telephone subscriber directly to the Tax Collector, or when the telephone subscriber, having paid the fee to the service supplier, establishes to the satisfaction of the Tax Collector that the telephone subscriber has been unable to obtain a refund from the service supplier who collected the fee.

(d) No refund shall be paid under the provisions of this Section unless the claimant establishes his right thereto by written records, showing entitlement thereto.

SEC. 766. FAILURE TO PAY FEE; ADMINISTRATIVE REMEDY.

Whenever the Tax Collector determines that a telephone subscriber has deliberately withheld the amount of the fee owed by him for the amounts remitted to a service supplier or that a telephone subscriber has failed to pay the amount of the fee for a period of four or more billing periods, or whenever the Tax Collector deems it in the best interest of the City and County, he shall relieve the service supplier of the obligation to collect fees due under this ordinance from certain named services users for specified billing periods. The Tax Collector shall notify the telephone subscriber that the Tax Collector has assumed responsibility to collect the fees due for the stated periods and demand payment of

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JAN 3 1994
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such fees. The notice shall be served on the telephone subscriber by handing it to him personally or by deposit of the notice in the United States mail, postage prepaid thereon, addressed to the telephone subscriber at the address to which billing was made by the service supplier, or, should the telephone subscriber have changed his or her address, to his or her last known address. If a telephone subscriber fails to remit the fee to the Tax Collector within 15 days from the date of the service of the notice upon him, which shall be the date of mailing if service is not accomplished in person, a penalty of one hundred percent (100%) of the amount of the fee set forth in the notice, but not less than $5, shall be imposed. The penalty shall become a part of the fee herein required to be paid. Such penalty shall be in addition to any other penalty imposed by this Article.

SEC. 767. RULES AND REGULATIONS. The Tax Collector shall have power to adopt rules and regulations not inconsistent with the provisions of this Article for the purpose of carrying out and enforcing the payment, collection and remittance of the fee herein imposed. A copy of such rules and regulations shall be on file and available for public examination in the Tax Collector's office. Failure or refusal to comply with any rules and regulations promulgated under this Section shall be deemed a violation of this Article.

SEC. 768. ADMINISTRATIVE AGREEMENTS. The Tax Collector may make administrative agreements with service suppliers to vary the

strict requirements of this Article so that collection of any fee imposed herein may be made in conformance with the billing procedures of a particular service supplier so long as the overall result of said agreements results in collection of the fee in conformance with the general purpose and scope of this Article. A copy of each such agreement shall be on file and available for public examination in the Tax Collector's office.

SEC. 769. VIOLATIONS; MISDEMEANOR. Any person violating any of the provisions of this Article shall be guilty of a misdemeanor and shall be punishable therefor by a fine of not more than $500 or by imprisonment for a period of not more than six months or by both such fine and imprisonment.

Any service supplier or other person who fails or refuses to furnish any return required to be made, or who fails or refuses to furnish a supplemental return or other data required by the Tax Collector or who renders a false or fraudulent return of claim, is guilty of a misdemeanor, and is punishable as aforesaid. Any person required to make, render, sign or verify any report or claim who makes any false or fraudulent report or claim with intent to defeat or evade the determination of any amount due required by this Article to be made, is guilty of a misdemeanor and is punishable as aforesaid.

SEC. 770. CALIFORNIA PUBLIC UTILITIES COMMISSION JURISDICTION. Nothing contained in this Article is intended to conflict with applicable rules, regulations and tariffs of any service supplier subject to the jurisdiction of the California Public

Utilities Commission. In the event of any conflict, the provisions of said rules, regulations and tariffs shall control.

SEC. 771. SAVINGS CLAUSE. If any Section, Subsection, subdivision, paragraph, sentence, clause or phrase of this Article or any part thereof or any fee against any person specified herein is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Article or any part thereof. The Board of Supervisors hereby declares that it would have passed each Section, Subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more Section, Subsections, subdivisions, paragraphs, sentence, clauses or phrases be declared unenforceable.

SEC. 772. EFFECTIVE DATE. This Article shall become effective upon passage, as provided in Section 2.304 of the San Francisco Charter, except that the fees imposed by this Article shall become operative and be imposed on bills issued on or after September 1, 1994, or any earlier date upon which the Tax Collector certifies to the Board, at least 30 days prior to said date, that the collection systems of all service suppliers required to collect the fee are prepared to initiate collection.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Deputy City Attorney

MAHER
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12/01/93:2
Page No: -29-

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 6, 1993	December 13, 1993
Ayes: Supervisors Alioto Bierman Conroy Hsieh Kaufman Kennedy Leal Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Migden
Absent: Supervisors Hallinan Shelley	Absent: Supervisors Hsieh Kaufman Maher Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
127-93-22

DEC 23 1993
Date Approved

Mayor

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JAN 23 1994
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FILE NO. 97-93-62 ORDINANCE NO. 420-93

Amendment of the whole
12/13/93

[Recorder's Filing Fees]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 8.24-1 AND ADDING SECTION 8.24-4 TO AUTHORIZE THE COLLECTION OF ADDITIONAL FILING AND INDEXING FEES, PURSUANT TO STATE LAW AND CREATING A RECORDER'S ACCESS AND INDEXING FUND.

NOTE: Additions are indicated by underlining.
Deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 8.24-1 to read as follows:

SEC. 8.24-1. ESTABLISHMENT OF A RECORDER'S FUND. (a) The Recorder is hereby authorized to charge an additional one dollar for filing every instrument, paper, or notice for record, as permitted by subdivision (a) of Section 27361.4 of the Government Code of the State of California.

(b) There shall be established in the treasury of the City and County of San Francisco a special fund to be known as the Document Storage Conversion Fund into which shall be deposited all the additional fees collected by the Recorder under the statutory authority above-referenced. The monies received into this fund are to be used exclusively to defray the cost of converting the Recorder's documents to micrographics, which includes the purchasing of reader/printers and a rapid computer assisted retrieval system;

the hiring of personnel; and the funding for micrographic training expenses, cabinets for storage and other related supplies, equipment, furniture and moving expenses. The expenditures from said fund shall be in accordance with the budget and fiscal provisions of the Charter. Any balance remaining in the fund at the close of any fiscal year shall have been deemed to have been provided for a specific purpose within the meaning of Section 6.306 of the Charter and shall be carried forward and accumulated in said fund for the purpose recited above. Upon completion of the conversion and payment of the costs therefor the additional fees authorized by this Section shall no longer be imposed and the fund shall be terminated.

SEC 8.24-4. RECORDER'S ACCESS AND INDEXING FEES AND FUND. (a) In addition to all other fees authorized by law for the recording, filing, or indexing of instruments, papers or notices for record, pursuant to Subdivisions (b) and (c) of Section 27361.4 of the California Government Code, the Recorder is hereby authorized to charge the following additional fees:

(i) a fee of one dollar ($1) for the filing of every instrument, paper, or notice for record, provided however that the Recorder's Office shall be open every business day except for legal holidays and those holidays designated as judicial holidays pursuant to Section 135 of the California Code of Civil Procedure.

(ii) a fee of one dollar ($1) for the filing of every instrument, paper, or notice for record, provided however that every

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instrument, paper or notice charged with the additional fee hereby imposed shall be indexed within two business days after the date of recordation.

(b) There is hereby established in the treasury of the City and County of San Francisco a special fund to be known as the Recorder's Access and Indexing Fund into which shall be deposited all the additional fees collected pursuant to subsection (a) of this section. The monies in this fund shall be appropriated solely to defray the costs of maintaining the Recorder's office open to the public every business day (with the exception of legal holidays and judicial holidays) and to defray the costs of indexing every instrument, paper, or notice for record within two business days after the date of recordation. Expenditures from the fund shall be in accordance with the budget and fiscal provisions of the Charter. Any balance remaining in the fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Section 6.306 of the Chatter and shall be carried forward and accumulated in said fund for the purposes recited above.

APPROVED AS TO FORM:

LOUISE H. RENNE

By: Julia MC Friedlander

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 13, 1993	December 20, 1993
Ayes: Supervisors Alioto Bierman Conroy Hallinan Kaufman Kennedy Maher Migden	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh [redacted] Leal Maher Migden Shelley Kennedy
Absent: Supervisors Hsieh Leal Shelley	Absent: Supervisor [redacted] Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-93-62

DEC 29 1993
Date Approved

Frank M. Jordan
Mayor

FILE NO. 164-93-2.1 ORDINANCE NO. 421-93

(Street Vacation)

ORDERING VACATION OF A PORTION OF BRONTE STREET, BRADFORD STREET AND OGDEN AVENUE; AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. On November 8, 1993, the Board of Supervisors adopted Resolution No. 897-93, approved by the Mayor on November 18, 1993, being a Resolution of a Declaration of Intention to order vacation of a portion of Bronte Street, Bradford Street, and Ogden Avenue, as shown on the Department of Public Works' Drawing SUR 2193, a copy of which is on file with the Clerk of the Board of Supervisors.

Section 2. The Clerk of the Board of Supervisors did transmit to the Department of Public Works a certified copy of said Resolution, and said Department of Public Works did cause notice of the adoption of such Resolution to be posted in the manner required by law.

Section 3. When said matter was considered as scheduled by the Board of Supervisors at its regular meeting held at City Hall, San Francisco, on Dec. 13, 1993, beginning at 3:00pm, such Board heard all persons interested in such vacation.

Section 4. From all evidence submitted at the hearing on such Resolution, the Board of Supervisors finds that a portion of the streets described in such Resolution are unnecessary for present or prospective public use and the public convenience and necessity require that no easements, except for those referenced in Resolution No. 897-93, be reserved for public utility facilities, if any, that are in place in such street and that any rights based upon such utility facilities are extinguished.

Section 5. The public interest and convenience required that the vacation be done as declared in such Resolution No. 897-93.

Section 6. The Department of City Planning reported on October 14, 1993 by letter that said proposed vacation is in conformity with the Master Plan and consistent with the Eight Priority Policies of Planning Code Section 101.1.

Section 7. The San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth, the findings made by the Department of City Planning, as stated in its letter dated October 14, 1993, that the proposed vacation of a portion of Bronte Street, Bradford Street and Ogden Avenue, is in conformity with the Master Plan and consistent with the Eight Priority Policies of Planning Code Section 101.1.

Section 8. The Agricultural Commission shall have jurisdiction over the vacated street area, subject to the reservations, provisions and conditions set forth in the Declaration of Intention to order said vacation and herein.

Section 9. Upon vacation of the subject street area, the jurisdiction which the Department of Public Works has over said street area will be extinguished.

Section 10. The Board of Supervisors has acquired jurisdiction to order said vacation subject to reservations, provisions and conditions set forth in the Declaration of Intention to order said vacation and herein.

jcl Section 11. Notwithstanding the provisions of Section 787(~~c~~ (b)) of the San Francisco Public Works Code, said portions of said streets as shown on the Department of Public Works' Drawing SUR 2193, are hereby ordered vacated, subject to reservations, provisions and conditions as set forth in the Declaration of Intention or order said vacation and herein.

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Section 12. The Clerk of the Board is hereby directed to transmit a certified copy of this Ordinance to the Recorder, to the Director of Public Works, and the aforesaid are hereby directed to proceed thereafter as required by law.

RECOMMENDED:

Agricultural Commissioner

Director of Property

Director of Public Works

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By _____
Deputy City Attorney

DESCRIPTION APPROVED/CHECKED:

Deputy Director for Engineering &
City Engineer

A:\FMVORD.LEG

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
December 13, 1993	$	December 20, 1993
	$	
	$	
Ayes: Supervisors Alioto Bierman Conroy Hallinan Kennedy Leal Maher Migden	$	Ayes: Supervisors Alioto Bierman Conroy Hallinan Hsieh Kennedy Leal Maher Migden Shelley
	$	
Absent: Supervisors Hsieh Kaufman Shelley	$	Absent: Supervisor Kaufman
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
164-93-2.1

DEC 29 1993
Date Approved

Mayor

93-1099

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Bindery Ltd